



Class F315

Book U56











U. S. Commissioners for ascertaining claims
" and title " and in West Florida.

[111]

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING A COPIES OF THE

Reports of the Commissioners of Land Claims,

IN

East and West Florida.

FEBRUARY 22, 1825.

Read, and referred to the Committee on the Public Lands.

WASHINGTON:

PRINTED BY GALES & SEATON.

1825.

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TREASURY DEPARTMENT,

February 21st, 1825.

SIR: I have the honor to transmit a copy of a report from the Commissioners of Land Claims, in East Florida, dated the 1st January, 1824.* It shows the progress made by that Board in performing the duties assigned to them by law, and contains other information, which may be useful to Congress when legislating on the subject of the Florida Lands.

I have the honor also to transmit copies of two reports from the Commissioners of Land Claims in West Florida, dated the 12th November, and 20th January, last.

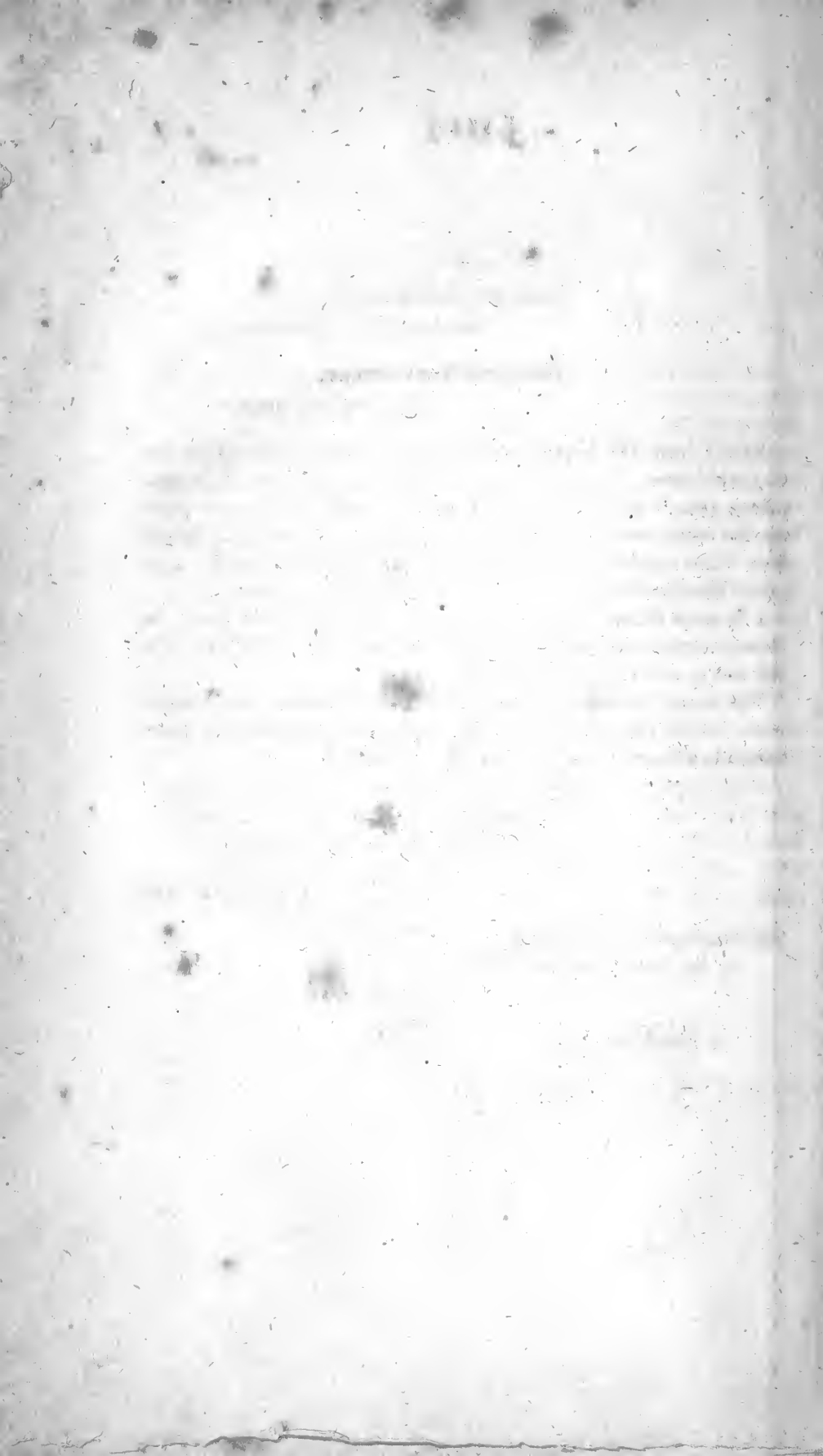
The papers which accompanied these several reports are voluminous. Copies of them are now in preparation, and shall be transmitted to Congress as soon as they are completed.

I have the honor to be,
With great respect,
Sir, your obedient servant

WILLIAM H. CRAWFORD.

The Honorable the SPEAKER
of the House of Representatives.

* Should be 1825



COMMISSIONERS' OFFICE,

Pensacola, 12th November, 1824

SIR: In obedience to the several laws organizing the Board of Commissioners "for ascertaining claims and titles to land within the District of West Florida," and regulating their duties, the undersigned have deemed it expedient to report, at this time, all claims of every description. East of Pensacola, with a number of others in this vicinity, about which there is no difficulty or conflicting interest. The reasons for the adoption of this course are more fully explained in a letter to the Honorable Speaker of the House of Representatives, upon their application for an extension of the term. We have the honor herewith to transmit:

First, a general report upon Spanish Claims.

Second, a general report upon large claims.

Third, a special report on claims undefined in quantity, and those exceeding three thousand five hundred acres, with the opinions of the Commissioners, numbered from 1 to 9.

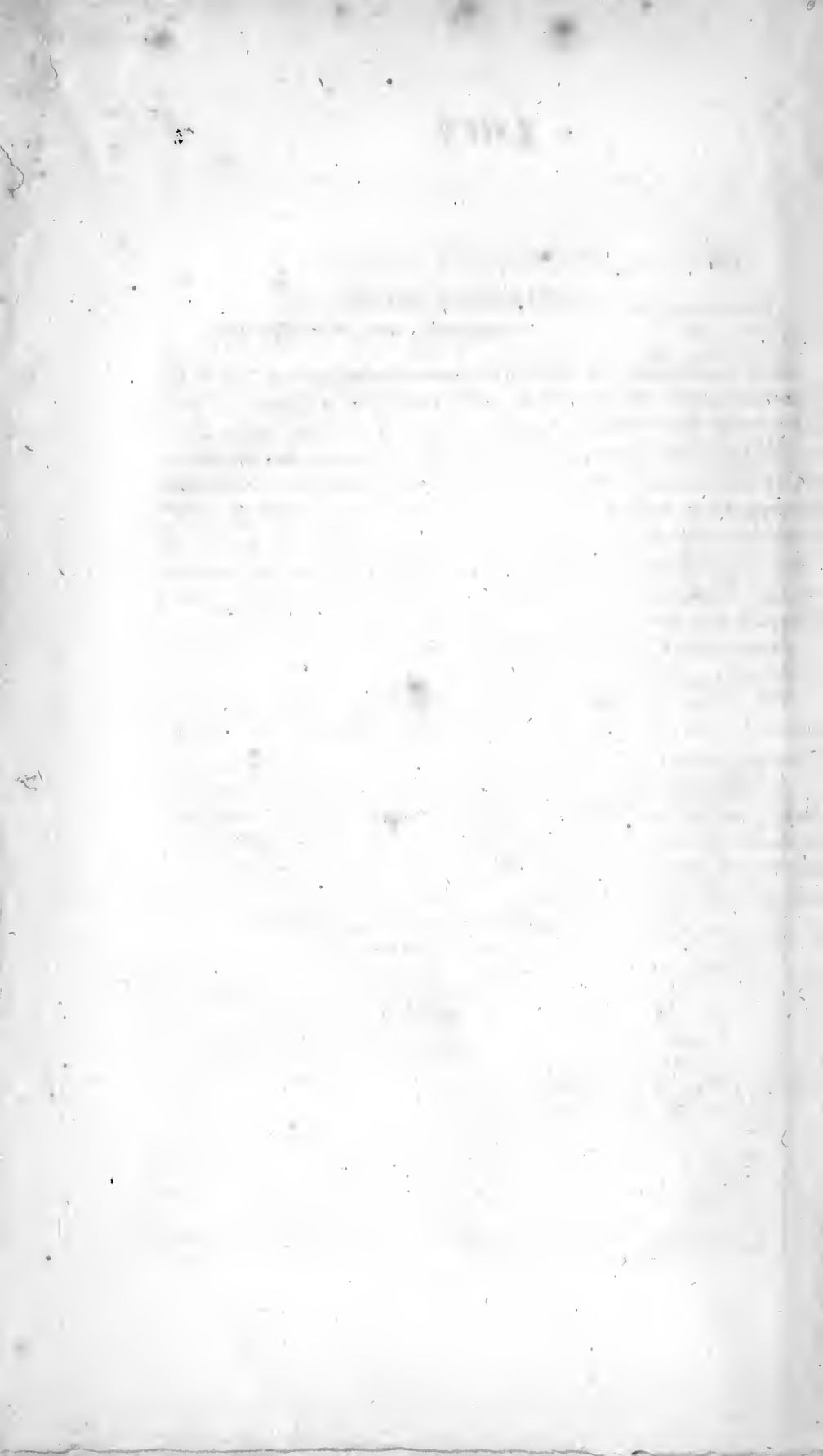
Fourth, abstracts from A to H, containing the list of claims confirmed and rejected with the reasons, "for their admission and rejection," together with the reports upon each class, respectively lettered, and made in conformity with the laws above mentioned. All which is respectfully submitted.

We have the honor to be, respectfully,

Your obedient servants,

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

The Hon. WM. H. CRAWFORD,
Secretary of the Treasury.



GENERAL REPORT UPON SPANISH CLAIMS.

The General Regulations of Morales, dated 17th July, 1799, agreeably to which, lands were almost entirely granted in West Florida, only provide for *three* descriptions of claims, viz: 1. GRATUITIES, which were *conditional* grants, or concessions made to "each newly arrived family, possessed of the necessary qualifications to be admitted among the number of the cultivators of these Provinces." 2. LANDS SOLD, "as demanded, to those who wish to purchase, for the price they shall be taxed;" and 3. CASES OF COMPROMISE, where individuals had occupied lands for more than *ten* years, and were, it is understood, permitted to obtain titles for the same, upon their making such claim known within six months from the publication of Morales' regulations at the different posts, and paying a just and moderate retribution into the Public Treasury. As the latter necessarily partakes of the character of either a *sale* or *gratuity*, we have proposed to make a general report upon these two classes, in order that Congress may the more readily understand the whole subject, not only as it relates to the titles we have confirmed, but those also which are submitted to them for their consideration.

I. GRATUITOUS CONCESSIONS.

These grants were made for pasturage, or upon condition that the grantee should *clear and cultivate* a portion of land within *three* years from the time at which it was dated. The tract could not be alienated during the above period, nor afterwards, until all the conditions attached to the grant were fulfilled.

The first step in obtaining a *gratuitous* concession, was the presentation of a petition to the Sub-delegate, or authority vested with the power of disposing of lands. This petition was referred to the Surveyor who was required to report whether the tract solicited was vacant and Royal Domain. The subject was next submitted to the Fiscal, or King's Attorney, whose province it was to state, whether or not there were any objections to a compliance with the petition. When those reports were found to be favorable, the Sub-delegate, &c. made the concession, fixed the terms, and passed the decretal order of survey. After all which had been fulfilled and executed, it was forwarded to the office of Intendancy for confirmation. Where any doubts existed as to the land being vacant and Royal Domain, the order of survey preceded the concession. There are, also, some cases, where the Sub-delegate made grants, without a reference to the Surveyor and Fiscal, but it was understood to have been done upon his own responsibility.

In conformity with the provisions of a decree of Royal Treasury,

dated 22d November, 1806, adopted in pursuance of an Ordinance of His Catholic Majesty of 30th March of same year, making *gratuitous* concessions was reserved to the Intendant, and were confined exclusively to the *meritorious* subjects of Spain. It was evidently the object of this decree, so far as we can collect its meaning from the title papers, to restrain such grants within narrow limits, and to sell as much land as possible, for the purpose of replenishing the exhausted coffers of the Crown. Strangers and foreigners, until naturalized by long residence, &c. were entirely excluded, as may be seen by an examination of Morales' Regulations, and the oath imposed upon the petitioner. He was required to swear, that no stranger was interested in the petition, and not convey the land to any such persons at a subsequent period; that he or she would fulfil the conditions contained in the Regulations of Morales of 17th July, 1799, and that they had received no anterior grant.

The *quantity* of land granted to each petitioner, was regulated by the number of his beasts to be pastured, as well as of his family capable of cultivation; understanding that the concession was never to exceed 800 arpens in superficies. This is the limit to a single gratuitous grant; but it is not to be inferred from this, or from the oath imposed by the Decree of 22d November, 1806, that an individual could obtain only *one* concession of this description. An additional concession of 800 arpens may be made to the same person, if he can prove, as required by 13th Morales, "that he had possessed the first during three years, and fulfilled all the conditions prescribed." If more were solicited it was to be purchased.

Exceptions to the above limit were however made in favor of Opelousas and Attacapas, where lands were mostly suited to the purposes of pasturage alone. Even in these cases the quantity to be obtained in a grant was governed by the same rule, and determined by the number of grantee's "*family and flocks.*" Here it was established as a general rule, that, to obtain half a league in front by the same measure in depth, the petitioner must be owner of "one hundred head of cattle, some horses and sheep, and two slaves," and in the same proportion for a larger tract, without the power of exceeding a league square. Although the article providing for the disposal of lands in these two sections of Louisiana are not extended to West Florida, yet it is clearly apparent that there are many cases there presented, which are entirely within the reason of it, as in these parishes, most of the country contiguous to Pensacola is only fitted to the purposes of pasturage and rearing of cattle, &c. Under these circumstances, it is nothing but reasonable that an equal latitude should have been allowed as to the number of arpens granted; and such has been the practice on several occasions. Whenever the applicant was recommended by a *large family and numerous stock*, the Sub-delegates felt themselves authorized to depart from the *general* rules prescribed in 1st and 13th Morales, and adopt that which was provided for Opelousas and Attacapas. In consequence of the wealth and resources of the new settler, it is understood that the Spanish Authorities have sometimes conceded to the same individual several thousand arpens.

By requiring that the number of arpens to be granted should be proportioned to the petitioner's "*family and flocks*" it is apparent, that the object of the Spanish Government was to patronize the rearing of cattle, and the cultivation of the earth. Their policy was, to strengthen the country by allowing new settlers, and increasing their numbers and resources. A consequence resulting from the adoption of this rule, and which the Spanish Government seems always to have had in view, was, never to dispose of their domain in large tracts, so as to enable individuals or the subordinate officers to sell them again upon speculation. So much only was to be granted as was necessary for the purposes abovementioned, and no more. A departure from the general rule, and an adoption of that in Opelousas and Attacapas, has not been frequent in West Florida; and in these cases, it has occurred where the land was poor, and but a small portion fit for cultivation. This power of modifying the regulations of Morales, or extending the articles framed for one section of country to another, it is understood, has been exercised by the Intendant, as also by his sub-delegates, when reasons sufficiently potent existed to prove that the case formed an exception to the general rule. By what authority the sub-delegates were empowered to act on such occasions, we are not satisfactorily advised; but such has been the practice, and the grants made have been recognized as valid.

II. SALES.

It is provided in the Regulations of Morales, that the vacant lands belonging to the Royal Domain were ordained to be sold by auction, by the law 15th, book 4th, of the collection of the laws of the Indies. The sale was to have been made as the land was demanded, with the intervention of the Fiscal, or King's Attorney for the board of Finances, *for the price they shall be taxed, to those who wish to purchase.*

By the decree of Royal Treasury, dated 22d November, 1806, adopted in pursuance of an Ordinance of His Catholic Majesty, of 30th March of same year, the Public Domain was directed to be sold at auction, for the purpose of replenishing the exhausted coffers of the Spanish Treasury. The price taxed was sometimes ascertained by *appraisers*, with the intervention of the King's Attorney, which proceedings are believed to have been within the purview of the above decree, as well as the 24th article of Morales' Regulations. These grants were also to be reported to the Intendant, from whom complete titles were to be obtained. We, also, take occasion to remark, in this place, that grants for land sold, and those made gratuitously, were required to be recorded in the office of Finances.

With regard to the *quantity* which could be sold to a single individual, the same general rules seem to have been adopted as prevailed in *gratuities*. The policy of Spain was in both cases the same. It was the intention of the Government to concede lands for pasturage and cultivation, and not as an object of speculation, as is expressly announced in the instructions of Gayoso. To prevent this amongst

individuals, as well as the subordinate authorities, and allure settlers to the country, by which it would be populated and strengthened, constituted the great aim of the Spanish regulations upon the subject of lands. This was the only restriction, it is believed, upon sales; and consequently where the grantee owned *many slaves, a large family capable of cultivation, and a numerous stock to be pastured*, several thousand arpens were sometimes disposed of to a single purchaser.

Ramon de Lopez y Angula, who appears to have officiated as Secretary of Intendancy at New Orleans, in the year 1800, refused to sell one hundred thousand arpens of Crown lands, as solicited in a letter of Henry Peroux, Commandant at New Madrid, and as set forth in the petition of the inhabitants accompanying it, upon the ground that the purchase was intended as a "*speculation hurtful to poor people.*" "*It never was,*" he says "*the intention of the King to dispose of the lands in such large quantities, and under such circumstances.*" It is admitted by Angula, that the new regulations, (Morales') provided for the sale of lands in the manner referred to in Peroux's letter, but it was only *under the previous formalities there specified, and with a reference to the ability and forces of the person desirous of purchasing.* The reason given for this rule, and the refusal to grant lands in such large quantities, is certainly sound and incontrovertible, and is in accordance with the spirit of the whole system of Spanish jurisprudence upon the subject of lands. The reason, as stated, was, "*because it would not be just that for a small consideration, one or more speculators should make themselves masters of a great extent of lands, to the prejudice of others coming to settle, and who consequently find themselves driven to purchase those lands which they might otherwise have obtained free from expence.*" This is a striking illustration of the rule, and may be considered as entirely conclusive.

REMARKS.

From the above exposition of Spanish Claims, it would appear, that *sales and gratuities* are the only kinds contemplated by the Regulations of Morales. There are, however, a few cases of grants, both to lands and lots, made expressly as a remuneration for public services. These are easily distinguished from those of every other description. In relation to *sales and gratuities*, we shall subjoin a few additional observations, with a view to a more correct understanding of these classes of claims.

1. A **SALE** embraces all cases where the land has been disposed of *at auction or by appraisement*, and none others. Where the petitioner states, that he has *sustained losses, been in the public service, and that the Government is in arrears to him*, to constitute the grant a sale, it appears to us that it ought to be shewn by the evidence of title, that an account had been authenticated, preferred against the Government, and acknowledged to be just; that the land had been conceded by valuation or otherwise, as an indemnity or liquidation of the debt, and that the claim of the party had been thereby entirely extinguished. It is not only necessary that this should be set forth, but it should be

apparent, that the losses, public services, or arrears due, constituted the *consideration*, and not the *inducement* to make the grant. In some cases, where public services have been rendered, it seems to have been the practice to *extend the grant under the fiction of a sale*, so as to include a larger number of arpens, but the usual conditions of a *gratuity* are exacted from the claimant.

In most cases, where there are petitions and grants, in which public services are stated, and acknowledged to have been rendered, losses sustained, and arrears due from the Government; yet they appear to have been set forth for the purpose of bringing them within the Decree of 22d November, 1806, as they almost invariably refer to the conditions contained in the Ordinance of Morales, dated 17th July, 1799, and are subjected to all the formalities, and restrictions of *gratuitous* concessions.

2. A *GRATUITY* includes all grants made upon conditions of *pasturage and clearing and cultivation*. When there is neither a *sale at auction*, or a price taxed and fixed by *appraisers*, there is every reason for believing it a claim of this description. If a reference is expressly made to the conditions contained in the Ordinance or regulations of Morales, of 17th July, 1799, its character as a *gratuity* is established beyond the reach of question. Either, or both of these features, identify the claim as belonging to this class. Possessing either of these characteristics, if losses, public services, and arrears due from the Government, are recited in the petition or grant, it is done as already observed, barely to prove, that the petitioner is a *meritorious* subject, and entitled to the land as contemplated by the Decree of 22d November, 1806. The public services, &c. are mentioned as the *inducement*, and not as the *consideration* of the grant or concession.

All of which is respectfully submitted by the undersigned Commissioners.

SAM'L R. OVERTON,
JOS. M. WHITE,
CRAVEN P. LUCKETT.

GENERAL REPORT UPON LARGE GRANTS.

We have already shewn, that it was never the intention of the King of Spain to dispose of his royal domain in large quantities, agreeably to the rules prescribed to his subordinate agents in his transmarine provinces. The object was to populate and improve the country, so as to enable it to defend and protect itself in case of invasion, and the rule observed in relation to the quantity granted, both in *sales* and *gratuities*, was the *number of the grantee's beasts to be pastured, and of his slaves and family capable of cultivating the land*. This, as we have formerly remarked, was intended to prevent speculation

amongst individuals, and the subordinate authorities. There are grants for public services, *military* and *civil*, such as exploring, and discovery of mines. Although *gratuities* have sometimes been extended, under the *fiction of a sale*, yet Intendant Morales, in the case of Santiago Coleman, declares, that all grants of this description appertain to his Catholic Majesty. Both the intendant and sub-delegates have, in some cases, made grants of this description, but they were probably subject to the confirmation of the King, &c.

But there appears to have been another species of gratuitous grants, differing in some particulars, from those we have already considered. They consisted of concessions of many thousand acres, and were made to individuals upon the *condition* that a large number of families were to be settled thereon, within a given period, for the purpose of promoting the population and cultivation of the country. Such were the claims of Baron Bastrop, and Maison Rouge, in Louisiana, and probably Aredondos in East Florida. None have been presented to this board, and they do not appear to come within the purview of any of Morales' regulations. They seem to have been in the nature of *special contracts* which were made with the intendant, and in which it was absolutely necessary that the assent of the King himself should be obtained, to give them validity. In the case of Baron Bastrop, the execution of the contract was suspended until the decision of His Catholic Majesty could be obtained, and that made with Maison Rouge was laid before the King by Mr. Gardoque, who procured his approval of all its parts, with an order for its completion. There are other large claims, the grants of which are made *immediately* by the King, such as those of the Duke of Alegon, De Vargas, and Count Punon Rostro.

The extent of the powers of the Intendant General, and Governors, and Commandants of posts, the last of whom were denominated sub-delegates, are not perfectly understood. The ordinance of Ferdinand 6th dated in 1754, forms the basis of all regulations upon the subject of lands; but we have been unable to procure it. We regret the scarcity of our materials, arising from the fact, that there are very few who will frankly aid one's inquiries into the municipal and political jurisprudence of Spain, and that the records have been removed from the country, in violation of the solemn stipulation of the treaty. That their powers were limited, is proved by reference made to the King in the cases of Bastrop, Maison Rouge, and many others. In consequence of our being at a loss for a guide in determining the exact limitation of power by which large grants were made, where they are not embraced by the instructions of Gayoso, or the regulations of Morales, such claims should be ratified with great caution,

It is in grants of the greatest magnitude, and whose titles are made out with unusual exactness, that apprehensions of fraud are to be most seriously entertained. The poor and limited claimant is very rarely found guilty of this crime.

The amount in controversy is not a sufficient inducement, and the conditions which he is required to perform, and which must be estab-

lished by proof, is, in most cases, an effectual preventive of imposition. We would therefore respectfully suggest, that large claimants should be required to produce the law or ordinance which authorized such a grant to be made. They are bound to make out a legal or equitable title, and such a one as would have been recognized as valid by the Spanish Government. Where the power for making the grant is not to be found in the instructions of Gayoso, or the regulations of Morales, and the claimant is unable to produce it, it is believed then to become a matter of discretion with Congress, whether they will reject such claims, or, to what extent they shall be confirmed. Even in cases where the grant purports to be a complete one, and to have received the ratification of the intendant, the law or ordinance authorizing it to be made, ought to be produced.

Under the Spanish Government, the intendant himself could not have made a grant contrary to law, which would have been regarded; for it is a principle of the civil law, that all "patents, orders, &c. contrary to *right* and *law*, shall not be executed; and the judges are directed to disregard them." Had the intendant issued such a grant, it would have been acting without the pale of his powers, and the error would have been corrected. He was denominated "*a sub-delegate of the Kings*;" had no doubt special and limited powers conferred on him, when acting in that subordinate capacity, and was responsible to him, for the fidelity of his official conduct. This principle of responsibility in subordinate tribunals is observed and enforced in all Governments.

At the expiration of his term of service, it is understood, that the intendant was bound to give what was called a *residencia*, or an account of his administration. This was received by a law officer, appointed by the Crown, and was finally determined by the Council of the Indies. On these occasions, all abuses of authority were corrected, and grievances redressed. If the intendant, Governor, &c. had disregarded the laws and ordinances, the appropriate remedy, it is believed, was administered.

The Agents of Spain, being under the control of the law, with limited and restricted powers, any act done by them in violation of laws and ordinances, must, upon every principle of reasoning, be void, for want of power and jurisdiction. If the local authorities have mistaken the laws and ordinances, or, regardless of responsibility, in consequence of the great distance from the parent state, have transcended their powers, such acts are null and void, and they could not be legally executed, for the same reasons that a sheriff could not be justified for carrying into effect an *illegal* mandate. This position is sustained upon the ground, that there is a want of authority on the part of those agents, and demonstrates, that such acts are void as to Spain, no matter with what good faith they may have been executed. The United States have now a right to say upon this subject, whatever Spain *could have said*, not what she *would say* by possibility. They are entitled to all the rights which could have been exercised by the King of Spain. Unless the grant has been made or ratified by the intendant, if the claimant cannot show the law under which

it was made and it is evidently contrary to the laws and ordinances to which we have access, it is a fair inference, that the granter exceeded his authority, and that it was such a case, as would not have been approved by the higher and superintending tribunals. As the United States have only stipulated to ratify all grants of a particular date, made by "His Catholic Majesty or his *lawful* authorities" in the Floridas, Congress, it is conceived, can reject those which are not of that character, as would have been done, no doubt, by the Government of Spain.

All of which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

No. 1.

A REPORT of a claim of John Forbes and Company, in their own right, and as surviving partners and successors of Panton, Leslie and Company, to a tract of land east of Appalachicola river, in the District of West Florida; filed by Octavius Mitchell, in behalf of the present proprietors, commonly called "Forbes & Co's. purchase," by title emanating from the Spanish Government, with an abstract of the evidence reported, in conformity to the provision of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida;" by the undersigned commissioners, to wit:

A copy of a letter, dated New Orleans, 21st February, 1799, from Governor Gayoso de Lemos, to John Forbes, (of the house of Panton, Leslie & Co. sympathising with them on account of the large sums of money due the house, from the Talapuche Indians, and the little hope there remains of recovering the same, unless by extraordinary means: the most probable of which would be, the purchase of certain lands from said Indians, *within the limits of the United States*; desires Mr. F. to gather, on this important subject, some information about the ultimate views of that government; from his residence of ten years in Louisiana, and his knowledge of public transactions, is witness to the honorable conduct of said house, and the repeated *sacrifices* they have made, and are ever ready to make, to the interests of his Catholic Majesty; that his predecessors had, in consequence, obtained for it *several valuable mercantile privileges*, which would have been of much advantage to the House, but that the vicissitudes of the times called for *new indulgencies from his majesty*; that matters being in this state, and confident that that House would never engage in any thing prejudicial to the interest of his royal master, he would not op-

pose any purchase the said House might make in the Talapuche nation, north of the boundary line, between his Catholic Majesty and the United States, thinking it the only way to be repaid for their out-standing debts, which would otherwise be lost in the nation, and would augment their difficulties; and that the said House had no other views than to sell the lands so purchased in the usual way, for the purpose of being so repaid. Also, a copy of a certificate of the foregoing original letter, by Andrez Fernandez, public Interpreter, dated Pensacola, 20th November, 1806. Also, a copy of a letter from the Marquis of Caso Calvo, dated New Orleans, 4th February, 1801, to Mr. John Forbes, acknowledging reception of his of 19th January, which mentions that the Seminole Indians had offered the house lands upon the River Appalachicola, as those they had formerly offered were not judged acceptable; the letter concludes thus: "I do not know to what to attribute the failure of the order of the Intendancy for the payment of the 17,000 dollars, relative to which I have transmitted an official letter, shewing the irreparable injury which must accrue, as well to the Royal Treasury as to your house, if this affair be not settled with due brevity." Also, a copy of a petition from James Innerarity, agent of the house of Panton, Leslie & Co. begging, that in consequence of offers made by several Chiefs of the Seminole Indians, at a meeting held by them on the 4th June last, to John Forbes, principal partner and director of the house, to cede to it a portion of lands occupied by said Indians, in the district of Appalichy and Appalachicola, in payment of the debt contracted, and the robberies committed by them in the store of said house, established in the neighborhood of St. Marks; he intends to send an agent to said tribe, to endeavor to procure a cession of a portion of said lands equivalent to the said losses. The petitioner shews the benefit that would result from the said cession, not only to the said house, but also to the Province in general, by having the said lands occupied by industrious people, who will be interested in cultivating them, and in a great measure superceding the necessity of having recourse to the United States, as at present happens, for the supply of His Catholic Majesty's troops, and even of the inhabitants of Pensacola and Mobile; almost all the good lands belonging to the Indians. The petitioner therefore requests permission to establish a talk on this business with the Indians, and, upon a cession being made, that the same may be confirmed and secured to the said house, for it to dispose of them to its advantage, dated Pensacola, 5th January, 1804. Also, a copy of Governor Folch's permission, granted on condition the lands so ceded be not disposed of without the knowledge and consent of the Government. Pensacola, 7th January, 1804. Also, a copy of a certificate of Governor Folch, stating that the Chiefs of the Seminole Nation who had signed the above, appeared before him on the 20th June last, and they having taken him by the hand, in sign of friendship, among other things said, that one of their motives for journeying hither, was to declare to him that they had ceded to the house of Panton, Leslie & Co. in consequence of the great debts they had contracted in that house's store, lately opened in Apalachy, and

the robberies they had committed therein, a tract of land, the limits of which are designated in the preceding act of cession and sale; that they had done so with the entire knowledge of the Nation, in whose name they signed it. This certificate signed and sealed by Folch, 24th June, 1804, and countersigned by his Secretary, Francisco Morejou. Also, a copy of a certificate of Governor Folch, stating, that in a full assembly of the principal Chiefs of the Tallapoosa and Seminole Indian Nations, held in this place, 3d December instant, King Mauso or Hopoitile Micco being chief orator, he declared, that, with the consent of their Nations they had confirmed the cession of land made in May last, to Pantou, Leslie & Co.; that they had done so in payment of the debts and robberies (aforementioned) and had put Mr. James Innerarity in possession of the land, as agent of said house, to which they had ceded, forever all right they formerly held in said lands agreeable to the tenor of the preceding act which they had signed at Achackweithle, 22d August, 1804. This certificate signed and sealed by Folch, 5th December, 1804, and countersigned by his Secretary, Francisco Morejou. Also, a copy of the act of cession referred to above. The preamble states the heavy debts (they the subscribing Chiefs of the Seminole Nation met in junta,) owe to the house of Pantou, Leslie & Co. for goods supplied them and their people from the store in Apalachy, and the robberies and depredations they committed *on two occasions* on the store of said house in Apalachy, headed by William Augustus Bowles; the first robbery committed in January, 1792, the second in May, 1800; and they having no means whatever of paying said losses, except by ceding to said house a portion of the lands they occupy; they have determined to give, sell and cede to said house of Pantou, Leslie & Co. by way of compensation, &c. a district of land, of which they are at present owners and proprietors, &c. contained within the following limits: leaving the Apalachicola River 5 miles above Estefulgee, the line runs through the hamoc of said River and the adjacent pine barren, in a direction E. and E. S. E. more than 3 miles till it meets with the principal path from Estefamulgee to the Nation; then follows said path N. and N. N. E. eleven miles and a half, or twelve miles to the spot where the path from Micasukey to Estafamulgee separates from the other; thence, the line runs along the same path of Micasuky. E. three miles and a half to a ravine; thence, along the same path. E. and N. E. by E. two miles and a half to another ravine; thence, still along the same path N. E. and E. above a mile, till the junction with the path of Ocheesee, alias that of John Mealby, to Apalachy; thence, running the same in a direction S. E. about three quarters of a mile, to the River Tologie; thence, still along the same, E. four miles and three quarters, till the spot where the path of John Mealby to Apalachy separates; thence, the line follows the path of Micasuky (which might more properly be called the path of Ocheesee to Anacheeler.) E. by N. one mile and a quarter, to the extremity of a hamoc; thence, along the same path, N. E. and E. N. E. one mile and a half to four pine trees marked with crosses; here, leaving the path, the line runs through the hamoc, and

crosses two ravines N. E. by E. one mile and thirty-six chains, till it meets with a path from Anacheela to the south; crossing said path for fifty eight chains, it follows the same direction through the hamoc, and crosses another ravine till it meets with another path leading from Anacheela to Micasuky, at a distance of one measured mile from Anacheela, thence following said path, whose directions vary between S. E. and N. E. three miles, till a spot where a path separates leading to the south; leaving this last path, and still following the former along which we came, the line runs through it in a direction E. and E. N. E. a mile and a half to a ravine; thence, running in the same path N. E. by N. one mile, till its junction with Thompson path, which comes from the N. W.; thence, following the same path, here called Thompson's path S. E. by S. one mile and a quarter till Little River; thence, following the same path N. E. by E; E. N. E. and E. one mile, till the spot where the path of Micasuky separates; thence, it follows always the same path of Thompson, S. E. by E. one third of a mile to a ravine; thence, always in the same path, in various directions between S. E. and E. N. E. two miles and a half to another ravine; crossing which it goes in a direction S. still along the same path one mile and a half to the River Ocklockney; thence, along the same path in various directions between S. and E. eighteen miles. to the extremity of the hamoc on the River Wakhulla, where two pine trees are marked with crosses at one mile distance from the house of John Keimaire; thence, crossing the hamoc and a ravine, it runs S. by E. sixty-four chains; thence, S. S. E. to a pine marked with a cross, sixteen chains, thence, E. S. E. sixty-four chains; and thence E. N. E. ninety-six chains, to the road which leads from the house of Keimaire to Fort St. Marks; thence it runs crossing the road forty-six chains, N. N. E. to the River Wakhulla, the channel of which forms the boundary as far as the sea to the east, in the same manner as the great channel of the River Appalachicola from its mouth to five miles above Estefamulgee, forms with a part of the above line the limits of the west, and the high seas beyond all the Islands on the coast, from the limits to the south throughout all its course by land, except a spot one third of a mile adjacent to the hamoc of the River Apalachicola, which being a thick swamp and full of water and mud, was impenetrable; the line is very visible, the trees being all marked. "And by these presents, we cede, concede, give, sell and transfer to the said house of Pantton, Leslie & Co. their heirs, executors, assigns, and administrators, in our name and in that of all our people, the aforesaid district of land, contained within the limits aforescribed, to be by them, their heirs, executors, assigns, and administrators, *held and possessed in full right and entire property*, and we the undersigned Chiefs, in our name, and that of our heirs and descendants, in our name, and in that of our people of the before mentioned Seminole Nation, renounce, and abandon all and every right, which we have till now held or possessed in the said district of lands, to the said Pantton, Leslie and company, their heirs, executors, administrators, and assigns, and we will maintain and defend the said Pantton, Leslie and company,

their heirs, &c. in the *full and complete dominion and possession* of the aforesaid district of land, contained within the aforescribed limits, at this time, by us ceded, given, bestowed, sold and transferred, against all and whatsoever person or persons, from henceforth and forever. In witness whereof, we hereby sign this instrument in the town of Cheeskatalofa, 25th May, 1804. (Here follows the marks of 22 Chiefs, and the signature of William Hambly, "Interpreter.") Also, a copy of the act of confirmation. It states, that whereas the Chiefs and principal men of the Seminole Indians, met at Cheeskatalofa, the 25th of May, 1804, and agreed unanimously to cede to the house of Panton, Leslie and company, in compensation for sundry robberies, (as aforementioned,) a tract of land, bounded, &c. &c. and whereas an instrument of concession, sale, and cession, of the same, was, on the 25th May, aforesaid, signed by the following Chiefs of the said Nation; (Here follows the names of 22 Chiefs who signed.) And whereas on the 20th June, following, the same was ratified and declared by the said Chiefs, before Don Vincente Folch, Governor, &c. to be, their unanimous and spontaneous act, in virtue of which, they in their own name and that of the Seminole Nation, whom they represented and their descendants, renounced entirely in favor of Panton, Leslie and company, on account of the aforementioned motives, all their right and pretensions to the said land, &c. And whereas Mr. James Innerarity, one of the partners of said house, has come, in virtue of said cession, personally in this place in the name of and representing said house, to take possession of said lands; and, in order to do so with more notoriety and solemnity, and that *said concession may be more amply confirmed and finally relieved from all altercation and dispute*, he has convoked a meeting of the Chiefs of the Lower Creeks and Seminole Nations, to meet him at this place, for the aforementioned object. Be it therefore known, to all whom it may or doth concern, that we, the undersigned Chiefs, and principal men of the Lower Creek and Seminole Nations, having in consequence met in full assembly at this place, have unanimously agreed, and by this instrument of writing solemnly confirm in every sense and manner, and in all its parts, the aforesaid donation and cession of the said lands, &c. and that the same may remain and be maintained, valid to Panton, Leslie and company, from henceforth and forever, we have this day solemnly ceded and granted possession of them to their partner, Mr. James Innerarity, deputed to that effect; and we bind and oblige ourselves and our descendants, to maintain and defend him and them in full and pacific possession of the said lands against all persons whatsoever, from henceforth and forever. In witness whereof, we set our marks: done at Achackeveithle, on the river Apalachicola, this 22d day of August, 1804, in presence of William Hambly and Thomas Miller, Interpreters. (Here follows the marks of 33 Chiefs.) Also, a copy of a statement of losses, sustained by the robberies of the Indians in Apalachy, on the 16th January, 1792, viz: amount of

inventory of goods existing on Apalachy, 1st November, 1791,
including $\frac{1}{4}$ per cent. on sale goods - £5,550 16 9

Amount of invoice of 1st November,
1791, with 4 per cent. to cover charges 1,239 15 3

£6,790 12 00

Sold from the store from 1st Nov.
1791, to 16th January, 1792, by ac-
count taken from the books, by R.
Leslie, with 4 per cent. in order to
agree with the inventory and invoice £564 11 8 $\frac{1}{2}$

Preserved since the robbers were
expelled according to inventory taken
16th March, by R. Leslie, with 4 per
cent. - - - 623 01 10 $\frac{1}{2}$

1,187 13 07

In the inventory of Nov. 1791, were
included the cattle, horses, hogs,
poultry, negroes, &c. of which were
preserved.

60 head of cattle	64s.	£192
10 hogs	40s.	20
2 doz. hens	11s 3d	1 2 6
18 horses	90s	81

Negroes, according to in-
ventory - - - 857

15 old trunks, and a press
filled with peltry, according
to inventory - - 42 10

Perogue boat chalan, &c.
per inventory - - 29 01

All the peltry per in-
voice - - - 1,486 12

House furniture, do.	5
	<hr/> £2,714 5 6

Plate and silks, charged
to Perryman's wife, with 4
per cent. - - - £74 14 1

H. Smith charged to Bar-
net this sum, recovered ac-
cording to day book - 135 14 8
Omissions, &c. - - - 4 03 2

214 11 11

£4,116 11

Loss in pounds sterling

£2,674 01

By amount of actual loss by the preceding statement
100 bus. corn omitted, bought between 1st Nov.
and 16th January - - -

£2,674 1

30 0

Expenses incurred at the Fort for provisions for Indians and others assisting us and our own living	100 0
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£2,804 1

We certify that the preceding account is a true statement of the loss sustained by Panton, Leslie and company, from the Robber Bowles, and his followers. Apalachy, 24th June, 1792.

ROBERT LESLIE,
EDWARD FOSTER,
JOHN INNERARITY.

Pensacola, West Florida, 2d June, 1799. Before me Don Vincente Folch y Juan, Governor, &c. appeared William Panton, partner of the house of Panton, Leslie and company, who having been duly sworn, declared that the preceding is a true and just statement of the loss sustained by him, and his partners (at that time) John Leslie and Thomas Forbes, by a party of freebooting Indians, and whose head was the notorious William Augustus Bowles, and a number of the Chiefs of the villages of Cowetas, Broken Arrow, Kitchetas, Ufales, Chichas, and inhabitants of the point named Onsutches, which robbery was committed on or about 16th January, 1792; and the deponent further declared.

1792. April 27th, for 14 head of cattle more than was included in the statement seen and counted this day by R. Leslie, 64s per cent.

	£ 44 16
For 12 horses do. do. at 90	54
For 12 head of cattle seen at Micasuky, 64 -	12 16
For 2 head do. seen at Burgess house, of which	
we have received one - - -	6 08
For a mare and a saddle recovered of H. Smith -	5

	£ 123
Loss actually sustained this day in pound sterling	2,681 01

£ 2.804 01

That the foregoing statement was made by the clerks residing on the spot, at the time the robbery was committed, and that it was certified by them on the 24th June, 1792, as above; and he further declares, that the said sum of £ 2681 1, was really lost by him, and his said partners on account of the said robberies, and that no part thereof has since then been recovered.

WILLIAM PANTON,
VINCENTE FOLCH.

Witnesses, MATIAS CERVERA,
FELIPPE PRIETO.

Also, a copy of a statement of the loss sustained by the robbery committed on the store in Apalachy in May 1800, by the Indians under the conduct of Bowles.

Value of goods, houses, negroes, cattle, &c. existing in our possession at the time of the robbery, including the brig Sheerwater which transported them from Pensacola	\$16,549 06½
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Expenses in repairing the Sheerwater for the damage done to her while in possession of Bowles, and his Indians	\$672 07
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Detention of said brig 18th May, till 11th November. 1800, during which time it was either in Bowles possession, or detained at Pensacola for repairing its damages, 5 months and 24 days, at \$500 per month	2900
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A mulatto and a negro boy belonging to said brig, carried off by Bowles	800
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4,372 07

\$20,922 05½

To deduct the value of goods and negroes recovered at the retaking of Fort Marks	4,868 02½
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Loss

\$16,054 03

Pensacola, West Florida, on the 25th of August, 1802, before me Don Vincente Folch y Juan, Governor, &c. and two assisting witnesses, appeared John Forbes, a partner of the house of Panton, Leslie and Co. and James Innerarity, a clerk in the same house, who having been duly sworn, declared that the foregoing is a true and just statement of the loss sustained by the house of Panton, Leslie and Co. in a robbery committed on their stores, in the month of April, and May, 1800, by a party of freebooting Indians, at whose head was the notorious William Augustus Bowles, and a number of the Chiefs of the Oakfuskies, Otassies, Cowetaws, Casitas, Chickas, Talassess, Eanckeeches and Micasukies, and that no part of said loss has been since recovered.

JOHN FORBES,
JAMES INNERARITY,
VINCENTE FOLCH.

Witnesses, FRANCISCO MOREJOU,
ESTAVAN FOLCH.

Translation of the above documents by Andres Fernandez, public Interpreter. Also, a copy of a detailed statement of sums due by various Indian dealers, and factors of the Seminoles, to the house of Panton, Leslie and company, in Apalachy, till the end of the year 1800, exclusive of interest, which sums never were paid.

\$19,157 01

Errors and omissions excepted,
PANTON, LESLIE & Co.

Also, a copy of a detailed statement of the expenses incurred by the house of Panton, Leslie and company, during, and on account of the proceedings held with the Indians, Seminoles, in Pensacola, as well as in Apalachicola, for the cession and sale of a tract of land, in payment of the robberies committed on their store by said Indians, and other matters therein contained, amount

\$ 2,136 04½

Errors and omissions excepted,
PANTON, LESLIE & Co.

Also, a copy of a recapitulation of the loss experienced by the house of Panton, Leslie and company, (as above detailed.)

Amount of the robbery committed on the store in Apalachy the 16th January, 1792, as appeared by the statement on oath of Wm. Panton, before Don Vincente Folch, the 2d of June, 1799. £2681 1; at 4s 6d per dollar

\$ 11,915 06½

Interest on said amount at 6 per cent, yearly from 16th January, 1792, to 22d Aug. 1804, at which date the Chiefs agreed to sell and concede the lands to the house; 12 years 7 months 6 days

9,000 02½

\$ 20,924 00½

Amount of the robbery on the store in Apalachy, in May, 1800; as appears by the statement made on oath by John Forbes and James Innerarity, before Don Vincente Folch, and two assistant witnesses, the 25th August, 1802

16,054 03

Interest on this sum at 6 per cent per annum, from 31st May, 1800, till 22d Aug. 1804

4,072 03½

Amount of debts due by different Indian dealers to the store, to the end of the year 1800, as appears by the statement taken from the book, of said store by James Innerarity, resident clerk at that time in Apalachy

\$ 19,157 1

Interest on this sum at 6 per cent. per annum, from 31st December, 1800, till the said 22d Aug. 1804, 3 years, 7 months and 22 days

4,189 0

23,346 01

Expenses incurred on account of the different Congresses held by the Seminoles, relative to the cession and sale of said land, &c.

2,136 04½

\$ 66,533 05

Errors and omissions excepted,
PANTON, LESLIE & Co.

Also, a copy of the act of ascertaining the boundary line, which states, that whereas at a meeting of the Chiefs and Warriors of the Seminole Nations, held at Chickatalofa, the 25th May, 1804, it was unanimously agreed by the same, to cede a certain portion of land belonging to said nation, to the house of Panton, Leslie & Co. in compensation for the losses, &c. the limits of which land are described in the instrument of writing, signed and delivered by the Kings and Chiefs assembled in Junto, at Achachuveithle, on the river Apalachicola, the 22d of August, 1804, to the said house of Panton, Leslie and company, the said cession of land, was resolved, decreed and confirmed, and possession given of them in the name of the said Nations, to James Innerarity, partner of said house, with a few variations and restrictions in the limits, to the North and East only added, and which are detailed accordingly to the best information about said lands, which was at that time to be had, in the instrument of writing, which on that occasion they signed and delivered to James Innerarity.

And whereas in a full Junto of said Nations, held at Pensacola, 3d December, 1804, the said cession was before the Governor. Don Vincente Folch, solemnly confirmed by a large concourse of Kings, Chiefs, and Warriors then present. And whereas it was then resolved to send a certain number of Chiefs to accompany Mr. James Innerarity, when they should think proper, for the better ascertaining and marking the boundary line of said cession, so as to be seen and distinguished by all. Be it therefore known, that we, the undersigned, Kings, Chiefs and Warriors, named by the aforesaid Nations, and our own towns, have, at the citation of Mr. James Innerarity, accompanied him along said line, which we have distinctly ascertained according to the order of said Junto of Achackweithle, and Pensacola, and have marked the same in such a visible manner that it may be easily seen by all, and is as follows; (see limits copied in first and second sheet.) And this line, so marked and thus described, we declare, in the name of our nations, to be the true boundary line of the land ceded in the aforementioned Junto, to the house of Panton, Leslie and company, and consequently the limits between our Nations and the white people of these parts. As such, we order that it may be by all our people held and respected henceforth and forever. Given at St. Marks, Apalachy, in presence of the Commandant of said post, Don Ignacio Balderas, and the subscribing witnesses, 2d August, 1806. (Marks of eleven Chiefs;) certified by Don Ignacio Balderas. Interpreters, Thomas Miller, Juan Antonio Sandobal. Witnesses, Felipe Prieto, Diego de Barrios, Lorenzo Vitreau. We the undersigned declare, that although we were not present at the running of this boundary, we acknowledge and agree to its exactness and accuracy, and therefore sign the present before the Commandant of this Fort, and three assistant witnesses. (4 marks of Chiefs;) certified by Ignacio Balderas, witnesses, Diego de Barrios.

Also, a copy of a petition of John Forbes, to Governor Folch, dated 28th November, 1806, stating that in consequence of all the

formalities of the cession, and ascertaining the boundaries of the land having been gone through, if his Excellency finds the documents conformable to law, he begs that he will interpose his authority in due form, in order to ratify the said cession, and, making use of *the authority which the king has conferred on him*, put the petitioner in possession of said land in his royal name, on the conditions expressed in the decree of the 7th January, 1804, depositing the original documents in the archives of the General Government of this province, and giving him a summary extract of the pieces composing the same, to serve him at all times as a title in form. Also, a decree of Governor Folch, dated at Mobile, 28th November, 1806, granting the prayer of the petitioner; all which foregoing documents are certified by Don Francisco Maximiliano de San Maxent, Political and Military Governor ad interim, of West Florida, to be true copies of the original proceeding, followed up by Don James Innerarity and John Forbes, agents of the house of Panton, Leslie and company, in order to obtain the confirmation of the cession of lands made by the Creek and Seminole Nations of Indians, in compensation for debts they had contracted with said house. In witness whereof the present is signed by me, sealed with my arms, and countersigned, (and countersigned) by the Secretary of this Government, at Pensacola, 20th December, 1811. Francisco Maximo de San Maxent, Pablo de Lanie. Also, an original confirmation, or title in form, given by Governor Folch, countersigned by the Secretary of the Government, and dated 3d December, 1806, at Mobile, which reads in the words following, to wit: "Whereas Mr. James Innerarity, agent of the house of Panton, Leslie and company, *established in the Province with royal approbation, for the purpose of trading with the Indians since the year 1785*, represented to me by a petition dated 5th January, 1804, that in order to follow up the offers made at a general Congress of the Indians, held in the Nation in the month of June, 1803, by several Chiefs of the Seminole tribe, and to John Forbes, principal partner and director in the said house of Panton, Leslie and company, that they would cede in its favor a portion of their lands, between the district of Apalachy and Apalachicola, in payment of the debts they had contracted, and the robberies committed by them on the stores of said house, established in the neighborhood of Fort St. Marks, declaring to me at the same time, his intention of taking the necessary steps for bringing about the said cession, *and to cultivate and to cause to be cultivated by industrious persons the land so obtained*, concluding, by beseeching me to grant him a permission to establish a talk, or set a negotiation on foot with the Indians on this business, and that his object being obtained, I should secure to the house the possession of the lands ceded, in order to dispose of them as might be found most convenient; and considering that the petition is *not contrary to our laws nor infringes in any manner the right and sovereignty of our Catholic Monarch*, (whom God preserve;) and that it being also one of the terms and conditions in the establishment of said house, that the Government should facilitate, as much as possibly it could, the recovery of the debts,

pending between the Indians and the said house, (which is also proved by the original letters presented to me by the said James Innerarity, written by the Brigadier Don Manuel Gayoso de Lemos, and the Marquis de Caso Calvo, Governors General, that were of the ceded Province of Louisiana, in which it is to be gathered, that their Excellencies were willing, and gave their consent to any purchase of lands, that the said house might make of the Indians, with the intent of recovering its outstanding debts, and the losses occasioned by the robberies committed by the adventurer William Bowles: I therefore decreed, the 7th January, as follows: "Granted the petitioner's request; it being understood, that *the land he may obtain from the Indians, cannot be disposed of without the knowledge or consent of Government.*" And it resulting from the instrument of cession, that the Chiefs and principal men of the Talapoose and Seminole Nations, assembled in Junta, at the town of Chickatalofa, on the 25th May 1804, who affixed their marks and signed. Yahalla, Emathle, William Perryman, Tasahaya, Mico, Tustanagy, Chupco, Hapayoli, Mico, Cosa Mico, Thomas Perryman, Taskanagy, Hopoy Hacho, Panas Mico, John Meally, Cacho Tustanagy, Oheles Enyha, Pawas Hacho, Inchu Mico, Musquito Jack, James Perryman, Yfa Tustanagy, Talaysa Emathle, Tastanagy Mico, Yuhulla Mico, Ufule Tustanagy Mico, Esau Ten Kinca, Hallechee, ratified the first writing in my presence the 20th June following, appears by my certificate of the 22d; and the second writing in a full assembly of the same Chiefs and others present at it, at Achachweithle, the 22d August, of the same year; confirmed in Pensacola, before me, the 3d December following, as appears by my certificate of the 5th of same month, with the marks and signatures which follow, of the same Chiefs: Hopoy Hacho de Totolosee Talofa, great orator of the Seminoles, Hothepacio Tustanagy de Totolosee Talofa, Hopoy Mico de Ockmulgeechee, Tustanagy Mico de idem, Kecknecha Thlucco de Cheeqalia, Emathle Thlucco de idem, Mico Nupumice de Cussita, Yahulla Emathle de Chickatalofa, Tankaya Mico de Osootchie, Ochu Tustanagy de Ochu, Yahulla Mico de Usulles, Albana Tustanagy de Usallis, Tasikaya Hudjo de Ocheesee, Niha Mico de Achumilga, Tustanagy Hudjo de Tochtobhiethle, Ninnywaguchee de Tocktowheithle, Tustanagy de Palachucklie, Yohulla Emathle alias John Meally de Ocheesee, Hopoy Hudjo, for Copixtses Mico de Micasuky, Tustanagy Hopoy, for alias, little Prince of Cowetas, Coweta Tustanagy de Coweta, Nicha Hodgee de Cowetas, Ocheesee Mico de Yowallee, Hopayok Hudjo de Yawallee, Mico Tecocksy, alias Hatas Mico, Hopayok Mico de Tawassee, Folka Tustanagy de Wifalatha, Esau Tustanagy de Micasuky, for Hopoy Hadjo, Pawas Mico de Ocoleyokony, Tustanagy Chupco de Ennessee, Tasikaya Mico de idem, Tustanagy Chupco de Tamathle, Halleenechir, King of Famathle, Tuskinia, Lieutenant of Chatoackchee-falee, sent by King Manso in his stead; and by the two Interpreters Thomas Miller and William Hambly; at which ratification in Pensacola, was orator King Manso, alias Hopoithle Mico, who taking up the discourse, declared to me, that with the general consent of

his nations, they had confirmed the cession of lands made in May last, to the house of Pantón, Leslie and company: the limits of which, they had designated with more precision in the last writing, that they had made said cession in payment of the robberies they had committed, and the debts they had contracted on and in the store of St. Marks, of Apalachy, and that they had given possession to Mr. James Innerarity, in the name of the said house of Pantón, Leslie and company, to whom they had ceded, forever, all right which they formerly held in the said lands; in token of which, they had signed and put their marks to both writings; and as it appears by the accounts, statements, and recapitulations general, which are found in the same documents, that the robberies, losses, and expenses, incurred by the said house, till the 31st October last, amounts to 66,533 dollars, five reals, and that on the part of those interested, fresh steps were taken to designate the limits, and that the said Chiefs, principal men and warriors of the Seminole Nations, appointed deputies to be present at said designation, and that those met in Junta at Fort St. Marks, of Apalachy, the 2d of August of this year, presided by Don Ignacio Balderas, Commandant of said Fort, with three assistant witnesses, Don Felipe Prieto, Don Diego Barrios, and Don Lorenzo Vitrian; and Interpreters, Thomas Miller and Joan Sandoval; and said Junta, agreeable to the former stipulation, that a certain number of Chiefs should accompany said James Innerarity, or his agent, when it should be found convenient, for the better ascertaining and marking the boundary line of the said cession of lands, so as to be visible and known to all the said Chiefs, principal men, and warriors, deputed, acknowledged that the same had been done to their entire satisfaction, and declared before the said Don Ignacio Balderas, in the names of their Nations, and as deputies appointed by them, that they had accompanied James Innerarity in the line and designations of boundary in the following manner; (see limits and boundaries, copied in first and second sheet.) And this line, thus marked and described, we declare, in the name of our Nations, to be the true boundary of the land ceded in the aforesaid Juntos, to the house of Pantón, Leslie and company, and consequently, the limits between our Nations and the whites of these parts: and the said declarations being confirmed and signed, with the marks of the said Chiefs, which was delivered certified by the said Commandant, with the addition of four Chiefs of the Micasuky village, among whom was Capisty Mico, vulgarly called Kimache, and who tho' not present at the said designation of boundary, declared, nevertheless, that they adhered to the accuracy of the limits, and were agreed in what the commissioned Chiefs had done, putting in the same manner their marks; and Mr. John Forbes, as partner and director of said house, having preferred a new petition to me, begging, that if I found good, and conformable to law, the documents which compose these proceedings, and of which I have in a summary given an extract, that I should interpose my authority, in due form, to ratify the cession of land as aforementioned, and which is pointed out by

the plat annexed: therefore, making use of the powers which the King our Lord, (whom God preserve,) has conferred upon me in his royal name, I confirm and ratify to the house of Panton, Leslie and company, the cession of lands made by the Seminole Nation of Indians, in the form and terms above explained, and seen by the plat annexed, which, with the original proceedings and copy of this title, will remain recorded in the office of the Secretary of the Government of this Province; and consequently I declare and impart *full and direct dominion to the said house of Panton, Leslie and company, of the aforesaid land*, so that the said house may, as its property, enjoy, possess, sell and alienate, agreeable to the terms expressed in my decree of 7th of January, 1804, antecedently inserted; and I empower it to take possession, and will defend and maintain it, without prejudice to a third party. In witness whereof, I order the present to be delivered, signed by my hand, sealed with my arms, and countersigned by the underwritten Secretary of this Government. Given in Mobile, 3d December, 1806. Vincente Folch, Francisco Morejou. Also, an original certificate of Pablo de Larin, Secretary of the Government, dated Pensacola, 20th December, 1811, stating, that the original proceedings relative to the cession, with the foregoing title confirmed, exist in the office of the Secretary of this Government, under his charge, with an authentic copy of said title, and of the whole was delivered a copy to the Surveyor General of this Province, Don Vincente Sebastian Pintado, in order to deposite in his archives, and another copy was at the same time given to John Innerarity, as representative of the interested parties.

In support of the claim to another tract of land, lying east of the River Apalachicola, and undefined in quantity, ceded to the house of John Forbes & Co. by the Lower Creek and Seminole nations of Indians, in the year 1811, the following title papers and parole proof, were exhibited, to wit:

A copy of a list of debts due by the Lower Creek Nations, to the house of John Forbes & Co. of Pensacola, adjusted to the 22d Jan. 1811. Total amount \$19,387 4½.—Pensacola, 22d Jan. 1811. By power of attorney from John Forbes & Co. to John Innerarity, also, a copy of a certificate of Governor Folch, countersigned by Pablo de Lorin, Secretary of the Government, and dated 22d Jan. 1811, stating, that in a full assembly of Chiefs of the Lower Creek and Seminole Nations, held in the Government House this day, the undersigned Chiefs declared by the medium of their Interpreters;—James Durosseau, resident in the Nation; Thomas Miller, on the part of the Chiefs, and Manuel Gonsales of this place; that they had ceded, in the name and with the consent of their Nations, to the house of John Forbes & Co. in payment of the debts due to the said house by the Indian dealers of the several towns of the aforesaid Lower Creeks, on the River Chatahoochie, the piece of land of which the limits are specified in the act of cession, which proceeds; which acts and limits were read and translated in my presence by the said Interpreters, and they agreeing to the propriety of the same, signed, of their accord;

the foregoing instrument. In witness whereof, I give the present, signed by my hand, sealed with my arms, and countersigned by the underwritten Secretary of this Government.

VINCENTE FOLCH.

By order of His Excellency:

PABLO DE LARIN.

Also, a copy of the act of cession, in the words following, to wit: In a Congress of the Chiefs of the Lower Creek Nations, held in the village of Cuskatalofa, on the River Chatahoochie, in April 1810, composed of the following persons; (here the names of 18 Chiefs)

Whereas William Hambly, agent of the house of John Forbes & Co. merchants in Pensacola, has shewn us a list of debts owing by the Indians and dealers of the Lower Creek Nations, on the River Chatahoochie and Flint, amounting to the sum of \$19,387 4½ reals of silver money; and it being manifest, that we have not the means of liquidating said debts otherwise than a cession of part of our lands: It has therefore been unanimously resolved, and by these presents, we resolve to cede, give, grant, sell, and transfer, to said John Forbes & Co. in payment of our aforesaid debts, a piece of land, at present occupied by us, and bounded as follows: (here the limits detailed.)

And whereas we, the following Chiefs, Hopoi Mico, Efa Mico, Yoholla Emathla and Cuskanucky, are duly authorized (according to the customs and statutes of Indians,) by the aforesaid absent Chiefs; and having this day met in the Government House of Pensacola, in presence of His Excellency Vincente Folch, Governor, &c. with the intent of confirming the said cession of lands, having met in junto, according to agreement, to validate more fully said cession, made to the house of John Forbes & Co. with Cuskanucky, Hopoi Cuskania, Mico Neippa, Cuskanucky, Chachuckany, and Coweta Mico, we have, in conjunction with them, resolved unanimously, and by this instrument, in our names, and in that of the tribe of Lower Creeks, we cede, give, grant, sell, and transfer, to the said John Forbes & Co. their heirs, executors, administrators, and assigns, the aforesaid piece of land, bounded as aforementioned, and situated in the said Province of West Florida, so that they and their assigns may hold and possess it *in full dominion and property*. And we, the undersigned Chiefs, in our own name as well as in that of our people of the lower villages, and of our descendants, and of theirs, renounce positively, and make abandonment of all and whatever rights which heretofore we held in the said piece of land, in favor of the aforementioned John Forbes & Co. and their assigns, in full and entire possession of said piece of land, bounded as aforesaid, now by us ceded, given, granted, sold, and transferred, and we will defend them against all, and whatsoever persons, from henceforth and for ever more; therefore, the said Chiefs, in their names, and in that of all the nation of said Lower Creeks, by these presents, name and constitute Hopoi Mico, Yoholla Emathla, Efa Mico and Toothia Cuskanucky, Chiefs of said Nation of Lower Creeks, to accompany the surveyor of the said John Forbes & Co.

and designate the boundaries of the said piece of land, agreeable to intent and meaning of the limits aforementioned; to mark the trees, and fix land marks, when it may be thought necessary, in order to make the boundary line visible and permanent forever. And, therefore, when the said boundary line shall be particularly ascertained, the said Chiefs Hopoi Mico, Yohulla Emathla, Efu Mico, and Toothia Tuskanucky, are by these presents, authorized by us, the said Chiefs assembled in Congress, to proceed to Fort St. Marks, and communicate the same to the Commandant, presenting him a plat of it in due form.

And, finally, to give and grant whatever other instrument of writing, in our names, and in that of all our people of the said Lower Creek Nation, which may be deemed necessary by the said John Forbes & Co. in presence of the said Commandant, in order that the said piece of land remain entirely secure to the said John Forbes & Co. their heirs, executors, administrators, and assigns, forever, in virtue of said writings. Given under our hands and seals in the Government House of Pensacola, 22d January, 1811. (Here the marks of 11 Chiefs.) Interpreted, signed, sealed, and delivered, in the presence of, and by James Durosseau, Interpreter of His Catholic Majesty, Thomas Miller, Interpreter of the Chiefs, Manuel Gonzales, Interpreter of Government at Pensacola. Also, a copy of certificate of translation of the foregoing from the English, by Vincente Sebastian Pintado at the instance of John Innerarity, agent of the house of John Forbes & Co. dated Pensacola, 21st June, 1811. Also, a copy of a certificate of Don Marcos de Villiers, commandant of Fort St. Marks, stating that there appeared before him and the two subscribing witnesses, seven Chiefs of the Seminole Nation; (names mentioned) and after having given their hands in sign of friendship, declared that the foregoing signatures made by them and other Chiefs of their Nation, they acknowledged to be legitimate and true; and that the cession and sale contained in the present instrument was just and valid, having been made with full consent of all the Nation; and that in its name they had granted and signed the same.—Fort St. Marks, 25th May, 1811, Marcos de Villiers, Jose Urcullo, Lorenza Vetrian. Also, a copy of an act of confirmation. The preamble states, that whereas, in a Congress of Chiefs of the Lower Creeks, held at Pensacola, 22d January, 1811, it was agreed unanimously to cede to the house of John Forbes & Co. in payment of certain debts due it by said Nations, a piece of land, bounded as follows: (here a detail of the limits.) And, whereas, a deed of grant, sale, and cession of the same to said house, for the consideration aforesaid, dated the 22d January, 1811, was signed by the following Chiefs of said Nation, then and there held, to wit: (here the names of the Chiefs) and that the said deed was confirmed and acknowledged by the said Chiefs before Don Vincente Folch, Governor, &c. to be their unanimous act and deed, &c. &c.: therefore, be it known to all whom it may concern, that we, the undersigned Chiefs and principal men of the Lower Creek Nation, in consequence of the powers conferred upon us by the aforesaid Chiefs and principal men, and being met in Congress in this place, have unanimously agreed.

and by these presents do confirm, in all its parts, intent, and meaning, the said grant and cession of a piece of land as aforesaid, agreeable to the annexed plat; the limits of which were designated, marked, blazed, and measured, in our presence, and in that of the Chiefs and principal men of the aforesaid Lower Creek nation, who were present with us for that purpose, viz: (here the names of 13 Chiefs.) And in order that the said grant and cession made by us to the said John Forbes & Co. may remain and be valid henceforth and forever, we have this day given solemn possession of the same to William Hambly, agent of said John Forbes & Co. who was deputed by them for that purpose. And by these presents, we bind and oblige ourselves and our posterity, to maintain and defend them in the quiet and peaceable possession of the same against all persons whatsoever, henceforth and forever. In witness whereof, we have put our marks to the present with our own hands. Given at Prospect Bluff, Apalachicola, 22d April, 1811, (here the names of the Chiefs.) Signed and delivered in presence of Dan'l Blue, William Hambly, Edmund Doyle. Also, a copy of a certificate of translation of the above into Spanish, by Don Vincente Sebastian Pintado, at the instance of John Innerarity, to whom a copy was given. Pensacola, 22d June, 1811. Also, a copy of the act ascertaining the boundary line. Whereas, at a Congress of Chiefs of the Lower Creek Nation and Seminoles, held at Pensacola, the 22d January, 1811, the Governor of West Florida being present, it was unanimously agreed and resolved by said Chiefs, in the names of their respective towns and nations, to cede a certain portion of the lands belonging to, and possessed by the said nations, to the house of John Forbes & Co. of Pensacola, in payment of debts owing by the dealers and Indians of the said Nation of Lower Creeks on the River Chatahoochie, to the said house of John Forbes & Co. and their predecessors, Panton, Leslie & Co. at their store at Pensacola; the limits of which, according to the instrument of writing, which on that occasion was signed and granted by them to said house, was as follows: (here a first designation of limits.) And whereas, on the same occasion, it was resolved and ordained by the said Chiefs, to order a deputation from their body to accompany the agents or attorneys of the said house, in order to run and mark the boundary line of the said land; and so to trace and ascertain it exactly, that in all future times there can be no doubt or dispute thereon: And whereas we, the undersigned Chiefs of the said Nations, were then named and deputed for said purpose: Now, therefore, be it known to all, that, having been summoned by the agents of said house, we have verified and marked the said boundary line throughout all its extents and directions as follows: (here a minute detail of the limits.) And this line, so marked and here described, we declare, in the name of our Nation and constituents, to be the true limits of the land ceded in the aforementioned Congress, to the house of John Forbes & Co. and consequently the boundary between our Nations and the whites of these parts. As such, we order it to be by all our people held and respected, henceforth and forever. Given at St Marks, Apalachy, in presence of the Commandant of said post, Don Marcos de

Villiers, and the undersigned assisting witnesses, 25th May, 1811. (marks of 6 Chiefs.)

We, the undersigned, declare, that though we were not present at the designation of the boundary line, we acknowledge and agree to the exactness of the same. In witness whereof, we hereby put our marks, in presence of the Commandant of this Fort, the Interpreters and assisting witnesses, dated as above, (marks of five Chiefs) Don Marcos de Villiers, Captain and Commandant, and Sub-delegate of Royal Finances, of this Fort.

I certify that, at a Congress held this day, the Chiefs and warriors there met, signed the preceding act, together with Felipe Prieto and William Hambly, who explained to the said Chiefs the contents thereof, and the undersigned attesting witnesses. Apalachy, 25th May, 1811. Marcos de Villiers, Felipe Prieto, William Hambly, Urcello, Lorenzo Vetrian. Also, a copy of a detailed account of the expenses incurred by the house of John Forbes & Co. during the proceedings with the Seminole Chiefs and Indians, as well at Pensacola as at Apalachicola. Apalachy Fort, and other Indian towns, in payment of two tracts of land, in payment of a sum of money which the latter owed, and of which a list is annexed. Total amount \$3492 6½ E. E. by power of attorney from John Forbes & Co. to John Innerarity. Also, a copy of a petition from John Innerarity to Governor Folch, dated Pensacola, 7th June, 1811, begging him, in consequence of every previous formality having been observed for obtaining a cession of two pieces of land from the Lower Creek Indians, in payment of certain debts the latter owed the house of John Forbes & Co. to interpose his authority for the ratification of said cession. Also, a copy of a decree of Governor Folch, as follows:

Pensacola, 8th June, 1811. The petitioners request granted *on condition the said John Forbes & Co. do not dispose of, nor alienate the land in question. without the express consent of this Government; and, that the same be understood to be on the same footing with the cession for which a title was granted on 3d December, 1806.*

FOLCH.

Also, an original certificate of Francisco Maximiliano de San Maxent, Political and Military Governor of West Florida, (ad interim,) countersigned by Pablo de Larin, Secretary of the Government; and dated the 20th December, 1811, stating, that the foregoing pieces are faithfully copied from the original proceedings which exist in the office of the Secretary of this Government, of which on original title has been given to John Innerarity as agent of the house of John Forbes & Co. Also, an original title of confirmation by Governor Folch, as follows:

Whereas, John Innerarity, agent of the house of John Forbes & Co. (established in this Province, with Royal approbation, for trading with the Indians since 1785,) presented me on the 7th of this month, a petition importing that, in consequence of a Congress of Chiefs, &c. of the Lower Creek Nations of the River Flint and Chatahootchie, held in this place,

on the 22d January last, presided by me, in order to agree upon the manner of satisfying said house for the sum of nineteen thousand three hundred and eighty seven dollars, four and a half rials, owing to it by the dealers and Indians of said village, as appears by an account presented by the said house and which is ordered to be annexed by the proceedings: at which Congress were present, the following Chiefs, viz: Tuskamiecky Hopoi Coweta Mico. Coweta Taskama. Hothepoi Mico, Yahu Hadjoo. Mico, Napa. Tuskanucky Chachuany. Ufala Mico, Hopoi Mico. Yohulia Emathla, Efa Mico. Toothia Tuskanucky, with James Durosseau. Interpreter of said Indians, and Manuel Gonzales Interpreter of this Government: and referring to the resolutions passed in the month of April, of the preceding year 1810 in the village of Tuskatolooa, they consented and agreed, as a compensation and payment of the aforementioned debt to the cession and transfer of two pieces of land, contiguous and adjacent to that which, in 1806, for a like reason, was ceded by the said Chiefs to the house of Panton, Leslie, & Co. which present act of cession was drawn out in the English Language, because many of said Chiefs understood that Language, and signed by them, and by the Interpreters, after having fully and circumstantially informed the said Chiefs of the contents of the same, and then annexed to the proceedings, with its translations into Spanish, under No. 2 and 3; and the said Chiefs having assembled together in April last at Prospect Bluff, on the Apalachicola River, for the ratifying said cession or transfer, they appointed deputies to assist at the running out and marking of the boundary line of the said land; which they executed, signing another deed, which appears with its translation under No. 4, and 5, in which are to be found the names of the following Chiefs, viz Hopoi Mico, Yohalla Emathla, Capichy Mica, Hopoi Caichei. Micasuky Tuskania Coweta Emathla, Yohallo Hadjoe, Niony Homaghta, Tuskanuky Chackchucky, Tuskay Hodjoe, John Mealy, and those of Daniel Blue, deputy surveyors, William Hambly, Interpreter, and Edmund Doyle, agent of the said John Forbes & Co. and the said deed legalized by the certificate of the commandant of Fort St. Marks of Apalachy Don Marcos de Villiers. before two assisting witnesses, the 25th May last. I ordered it with its translation to be also annexed to said proceedings, together with the act passed before said commandant of Fort St. Marks, under No. 6, in which the deputation of Chiefs, composed of Capitza Mico Kenace, Catha Tuskanuky, Asa Mico, Cosahiche, Yohallu Emathla, Tulsihatcho and Nivihumatee Tastunuky, declare fully to have assisted the surveyor Daniel Blue, the interpreter, William Hambly, and Edmund Doyle, agent of said house in running and marking the boundary line of said land, in order to avoid all doubts or difficulties, and that in no future time there may be any whatever they state having began at the mouth of the river Apalachicola, and following the line on the west margin, it ascends the Lake Weenico, three miles from the entrance, which spot is known by two cypresses marked with crosses, and thence, through the hamoc the distance of one chain south to a cypress marked, here it was found impracticable to trace the line further, on account of the bad way, but it should run

South 72 degrees West, a supposed distance of 1280 chains, where a pine is marked; thence, South, 30 degrees, West 100 chains, to where a pine is marked with a cross, on the margin a reedy marsh; thence the line runs by water, one mile and a quarter, South 14 degrees W., to the extreme western point of St. Vincent's or Deer Island, including the whole of the Island; thence, ascending the river Apalachicola, and beginning the line at the boundary of the lands formerly ceded to the house of Panton, Leslie, and company, running the same up the said river to the mouth of the creek Cosaph Chuchee, or sweet waters; thence, following up said creek, to its source, where a hickory is marked with a cross; then, crossing the path by land North 79° East, the line runs the distance of 27 chains 85 links to a pine marked with a cross; thence, North 58 degrees, East 11 chains 47 links to a pine crossed; thence, North 65 degrees, East 18 chains 58 links, to another pine marked; thence, North 42 degrees East, 26 chains and 36 links, to another pine marked; thence, North 75 degrees East, 16 chains and 9 links to another pine marked; thence, North 40 degrees East, 22 chains 50 links to another pine marked with a cross; thence, North, 60 chains 36 links, to another pine marked; thence, North, 25 degrees East, 5 chains, to another pine marked; thence, North 35 degrees East, 24 chains, to another pine marked; thence, North, 82 degrees East, 241 chains, to another pine marked with a cross; here is the boundary line of the lands ceded to the house of Panton, Leslie, & Co. the line following which runs till it crosses the river Ocklockny, and again runs the distance of 5½ miles to a pine marked; thence, South 80, East 32 chains to another with a cross; thence, South, 78 East, 1251 chains 51 links, to an oak marked with a cross; on the west margin of the river St. Marks, a little distance above the spot where the same runs under ground; thence, the line runs through the thicket in the neighbourhood, to where the said river appears again; and thence, to its junction with the sea. And the Chiefs Nocosa Hopoy, Coroa Emathla, Tustanuky Hacho, Mico Hatcho, and Nocosa Hatcho, having ascertained the boundary line, approved of and consented to it, although they were not assisting at running it out and marking it, and signed it in presence of the commandant of the Fort St. Marks, witnesses and interpreters, as appear at the end of document No. 6. And the accounts having been presented of the expences attending the proceedings instituted, which amounts to \$ 3492 6½ rials, I have ordered it to be annexed to the proceedings under No. 7 and I made a decree in consequence of the above mentioned petition to the following effect. "Granted as the petitioners request, on conditions that the said John Forbes & Co. may not dispose of, nor alienate the land in question without the express consent of this Government, and that its concession is to be understood to be on the same footing with that for which a title was given on the 3d December, 1806." In consequence; the said John Innerarity, as agent and attorney for the house of John Forbes & Co. concludes his said petition, begging me to interpose my authority in due form, for the ratification of the said cession of two pieces of which is designated by the surveyor general of this pro-

vince, Don Vincente Sebastian Pintado, in the figured plat made out by him and annexed to the original proceedings. Wherefore, making use of the faculties conferred on me by our Lord the King, and in his royal name, I confirm and ratify to the said John Forbes & Co. the cession of two pieces of land, above designated, made by the Nations of Seminole Indians, or Lower Creeks, represented by its principal chiefs, leaders, and considerable men, amply empowered; and I give them power to enter into possession of the said lands, according to the directions, dimensions, and distances, contained in the figured plat and certificate of survey, the original documents of which, with a copy of said plat, shall remain in the office of the Secretary of this Government, the said surveyor enregistering not only this title, but also that delivered in the year 1806, from the same motives, and that of the Island conceded to John Forbes individually, in order that his archives may contain every thing concerning these concessions, and the motives from whence they originated, and I declare and impart to the said house of John Forbes & Co. *entire and direct property*, that, as such, they may the said lands enjoy, possess, cultivate, sell, or alienate, on the conditions expressed in my decree inserted in this title. In witness whereof, I have ordered the present to be expedited, signed by my hand, sealed with my arms, and countersigned by the Secretary of this Government. Given in Pensacola, this 5th June, 1811. *Vincente Folch*. By order of the Governor. Pablo de Larin. Also, an original certificate of Pablo de Larin, Secretary of the Government, dated 21st December, 1811, stating, that the original document is in the office of the Secretary of this Government under his charge. Relative to the cession of land which the preceding title confirms, and of the whole proceedings, was made out a copy with an authentic copy of said title and the same delivered to the surveyor general of this province, Don Vincente Sebastian Pintado, to be deposited in his archives; and another was also delivered to John Inerarity, as attorney of the interested parties. Also, a copy of a petition of John Forbes to the Captain General of the Island of Cuba, and the two Floridas, dated Havana, 9th October, 1817, in the words following, to wit: "May it please your Excellency: John Forbes, a resident in this place, partner and director in the house of Forbes & Co. established in the two Floridas by royal permission, respectfully represents to your Excellency, that the said house possessed in full property the lands which were occupied and belonged to the Seminole Indians, situated in the District of Apalachy and Apalachicola, and which were ceded and sold by the chiefs and principal men of that tribe, in just payment of the debts which these had contracted, and the robberies they had committed on the stores belonging to his house, situated in the neighborhood of St. Marks; for which acquisition or transfer of property, it obtained the competent permission of Don Vincente Folch y Juan, who was the Political and Military Governor of West Florida, as is proved by the decree issued at Pensacola, the 7th January, 1804, and the title of confirmation delivered at Mobile, 3d December, 1806, without other restrictions than that of not

being able to sell or dispose of said lands without the knowledge and consent of Government, as your Excellency will more fully see in the documents annexed; particularly the Indians, Lower Creeks and Seminoles, *in consideration of the important services, and particular attention with which the house of your petitioner treated them from the year 1785; at which period it begun its establishment, under the firm of Panton, Leslie & Co. transmitted to it by similar deeds, requisites, and formalities to the proceedings—an Island belonging to them about 7 miles in length, and one or more in breadth, situated on the River Apalachicola, opposite the store or factory which then and there existed. Also, two pieces of land adjoining to the abovementioned, bounded on one side by the River Appalachicola, and then by the lands already ceded, including the Islands as far as the creek called Sweet Water Creek, agreeable to the plats, which, in order to give the said house, full, ample, and royal possession of all the said lauds, was drawn out by the Surveyor General of His Majesty for said Province. And being determined to alienate the greater part of the same in favor of Don Colin Mitchell, citizen and merchant of this City, it not being in the power of the petitioner to cultivate them himself; and by so doing obviating the necessity of there existing waste lands of no account to the Royal Treasury or the public benefit: he solicits your Excellency as Captain General of the two Floridas, and intrusted with the high powers of your station, to permit him to alienate the said land upon the terms he has agreed upon with the said Colin Mitchell; and that he may agree upon hereafter with other person or persons. Havana, 9th October, 1817. Also, a copy of a decree of the Captain General, as follows:—Havana, 9th October, 1817. This petition to be shown to the Assessor General, that he may advise me.*

CIENFUEGOS."

Also, a copy of the opinion of the Assessor General, as follows: May it please your Excellency: The lands which were occupied by Indians of the Seminole tribe, lying in the district of Apalacky and Apalachicola, and the Island belonging to the Lower Creeks and Seminoles, about 7 miles long, and more that a mile in breadth, together with two pieces of neighboring lands, having been transmitted, as they actually and lawfully are, in full property, a titulo one roso, to the house of John Forbes & Co. *established in the Floridas by Royal permission, for which acquisition a competent permission was given to Don Vincente Folch y Juan, who was the Political and Military Governor of West Florida; and who delivered, subsequently, titles of confirmation in favor of the purchasers. There is no obstacle to your Excellency's making use of the powers intrusted to you, and permitting the alienation proposed, among which is designated Don Colin Mitchell, a merchant of this city, a person uniting all the qualifications necessary for obtaining them; in the instrument of transfer for appropriations of property, having to be inserted copies of said titles of confirmation, and the present opinion, if your Excellency should be in the same sentiments. Havana, 13th October, 1817.*

DONARDO DEL MONTE.

Also, a copy of the decree of the Captain General, in the following words:—Havana, 13th October, 1817. Agreeably to the preceding opinion of the Assessor General, I permit the alienation of the lands solicited by Don John Forbes, in which Don Colin Mitchell is designated as having the greater part, drawing out the writing and insertions mentioned in the said opinion.

CIENFUEGOS.

All which documents are certified to be true copies, by Miguel Mendez, first Escribano of the Government and Council, on the 26th March, 1819, whose signature is accredited by Jose de Galinor, Juan Martinez Cayetano Pontero, Notaries Public of the Royal College of Havana. Also, an original passport granted to James Innerarity, one of the firm of Panton, Leslie & Co. by Governor Folch, countersigned by Francisco Morejou, and dated 12th July, 1804, authorizing him to proceed to Apalachicola with 5 negroes and a clerk, and take possession of, and establish a store on said tract of land.

In addition to the foregoing title papers, the said Octavius Mitchell proves, by parole testimony, all the signatures of the Spanish officers annexed to the said title papers. Peter Alba, jr. being sworn, saith, that he was a clerk to the house of John Forbes & Co. in the year 1804; that James Innerarity, then a member of the firm, proceeded to Apalachicola with a clerk and 5 negroes, and took possession of the said tract of land, by virtue of a passport from Governor Folch, and established a store; that the said house of John Forbes & Co. and those claiming under it, have been in possession of the said land ever since, except during a short interval occasioned by Indian disturbances; but, the possession was resumed by them shortly after the disturbance ceased; that in the fall of 1804, the Chiefs of the Nation, accompanied by a large number of warriors, met at Pensacola, and then ratified, in a public and formal manner, in presence of Governor Folch, the cession made by them to the firm of Panton, Leslie & Co. acknowledged the debts due by them to the said firm, and expressed their desire to extinguish them, by a cession of a part of their lands; and further saith not. Felipe Prieto, being sworn saith, that he was the King's Storekeeper at the Post of St. Marks, in the year 1804; officiated as the Private Secretary of the Commandant of the Post; and occasionally acted as Interpreter: that he officiated as one of the Interpreters at the original cession made to the house of Panton, Leslie & Co. by the Chiefs of the Seminole Nation, and saw the said Chiefs sign the act of cession in the presence of the Commandant of the Post; that the Chiefs then acknowledged the debts by their Nations due and owing to the said house; and, that the negotiations were commenced by permission of Governor Folch, with a view of obtaining a cession of lands in satisfaction of the debts. And further says, that he was present at the cession made to the house of John Forbes & Co. in the year 1811; that it was executed in the same formal manner, and for the same purposes prior to its ratification at Pensacola. He also confirms the foregoing statement of Peter Alba, jr. and further saith not.

OPINION OF THE COMMISSIONERS.

The above two grants to Pantón, Leslie & Co. and to John Forbes & Co. on the east side of the Apalachicola River, seem to have been made with the same formalities, and under the same restriction or condition of not alienating the same without the consent of the Spanish Government. They are both made as a remuneration for similar losses sustained by that house at different periods, and the same questions are involved as to the validity of the titles.

In forming an opinion upon the claims, two leading questions are presented to the minds of the undersigned Commissioners: 1st, were the Indians from whom the purchase was made in the first instance competent to make a conveyance to lands, to be held and possessed "in full right and entire property?" and 2d. was Governor Folch vested with the power to make a grant, or confirm one of this description?

Upon the first question presented, the undersigned Commissioners have no hesitation in giving it as their opinion, that the Indians could make no conveyance vesting a fee simple. Were the contrary admitted, the confirmation of Governor Folch would have been superfluous. The treaty of 1784 made between Spain and the Seminole and Tallapoose Indians, incorporates the latter as subjects of His Catholic Majesty, co-equal with the whites, but reserving the sovereign disposal of the soil of East and West Florida in the hands of the Spanish authorities. This construction of the treaty is clearly sustained in different reports made by Surveyors and Fiscals in West Florida, in which they state, that the Indians *are only entitled to the lands occupied by their farms and villages*. Being an erratic people, this right, as a tribe or nation is believed to have been in most cases, an usufructuary one, and wherever they removed, the land which they abandoned was subject to be granted to other settlers. As a further illustration of the opinion, that the Indians collectively have no fee simple right to land within the Floridas, Governor Masot, in the case of Mary Weaver, decreed that Indians had no possessions in this Province in conformity with the report of the Fiscal upon the claim of Jayme Barcelo. No line of demarkation has ever existed between Indian and Spanish lands; indeed no such distinction has ever been recognized. As a tribe or nation, the Indians, as before remarked, seem to have enjoyed only an usufructuary right, in which they were protected as long as they continued in possession of the land. As individuals they are believed to have held their lands in some cases upon the same terms as other Spanish subjects, &c. To secure them in the enjoyment of these privileges, the regulations of Morales contains a special provision in their favor, declaring that when they possess lands within the limits of the Government, they shall not in any manner be disturbed, but protected and supported. The possession here mentioned must have been of the description already noticed in a preceding part of this report. Although the lands here granted, are stated to have been occupied by the Indians, it could only

have been as a hunting ground, and not as farms and villages; and to which as a nation, they could give no title in fee simple. Gayosa, Governor General of Louisiana, was no doubt in possession of this information, and it probably constituted the motive which induced him to recommend in his private letter that the purchased should be made in the United States.

As to the power of Governor Folch, to make such a grant, we are not apprised of any law or ordinance by which it is warranted. The Governor himself asserts that he is vested with the power by the King, and the Assessor General of Cuba states the same fact. The permission of the Captain General to dispose of the land to Mr. Mitchell, is also evidence in favour of the legality of its exercise. But another difficulty is here presented, and remains unexplained: Florida, under the Spanish Government, was divided into East and West, by the Apalachicola river, having a Governor in each, with separate and independent jurisdictions. If Governor Folch could have given the confirmation in West, we do not understand how he could do so in relation to lands in East Florida, as was the fact in the case now before us. This is not a grant for public services, although it is acknowledged, that the house of Pantón, Leslie & Co. made sacrifices and were useful to the Spanish Government; but they, at the same time, appear to have enjoyed singular and exclusive privileges. The consideration of settling cultivators upon the land, may have been an inducement in making the grants; but the great object evidently was to obtain a sale which would remunerate the house of Pantón, Leslie & Co. and John Forbes & Co. for debts due from, and robberies committed by the Indians. The representative of these houses appears to consider the Spanish authorities as responsible for these losses, but upon what principle, we are unable to learn. There is no such acknowledgment on the part of her officers, amongst the papers filed in the cases before us. Gayoso, in recommending the purchase, thinks it the only way to be repaid for their outstanding debts, which would otherwise be lost in the nation; "and Governor Folch states it as one of the conditions upon which said house was established, that the Government should facilitate, as much as possibly it could, the recovery of the debts pending between the Indians and the said house." Here appears to be no obligation to pay for debts, &c. but only to facilitate their recovery. With these facts before them, and by a reference to our general report upon large claims, Congress will be enabled to decide upon the validity of these titles.

All which is respectfully submitted by the undersigned commissioners.

SAMUEL R. OVERTON,
J. M. WHITE,
CRAVEN P. LUCKETT.

No 2.

A REPORT

Of a claim of John Forbes & Company, to a tract of land west of the Apalachicola river, in the district of West Florida, by title emanating from the Spanish Government, with an abstract of the evidence reported, in conformity to the provisions of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the Territories of Florida," by the undersigned Commissioners, to wit:

The claim of John Forbes & Company, to a tract of land, undefined in quantity, lying west of the river Apalachicola, is founded on the following title papers and testimony, exhibited in support thereof.

A copy of a letter from John Forbes, partner and principal of the house of John Forbes & Company, to the Captain General of Cuba, and the two Floridas, praying, in the words and figures following, to wit: "Excellent Sir: John Forbes, partner and principal in the house of John Forbes & Company, established in Pensacola, by royal license, for the purpose of transacting mercantile business, more especially with the Indians of that province, respectfully sheweth to your Excellency, that, during the late warfare between the American Indians and the subjects of Great Britain, our interest suffered much, as well as in stock as in stores, effects, &c; indeed more than can be exaggerated. Many slaves belonging to the company were carried off and concealed by the Indians, during the residence of Colonel Nichols; and though the Government of Pensacola, upon being made acquainted with the fact, claimed back their servants so violently seized upon, it was all in vain; they were never returned. In order to facilitate their restitution without the Royal Treasury, *although it alone was and is responsible*, my house fitted out, at sundry times, and with our own pecuniary means, vessels for the sole purpose of demanding them. In the first which sailed for the aforesaid object, was Captain Don Benigno Calderon, and other officers, with a commission from Government. Posterior to this, on two other occasions, other persons were commissioned, in order to avoid the withdrawing of public officers from their duties. But all these missions failed in their object of procuring a restitution of the things that were robbed. The same house deputed Edmund Doyle and William Hambly for the same end, giving them considerable gratifications for their trouble and indemnifying the last named for the loss which he suffered of all he possessed. Besides all this, Woodbine induced the Indians, of whom he also got to be named a Chief, to carry off negroes, and we had to prosecute him criminally in New Providence, which occasioned us much expence, without being successful; for he had the art or means of escape from the hands of justice. Thus, all the efforts and sacrifices made by the house to save the Government from these losses, have only served to augment them. At that time of disorder and confusion,

the said Indians carried off about a thousand head of cattle belonging to the house, which also suffered a loss in another quarter of thirty eight horses and two mules; and lastly a band of the same set fire to the stores belonging to the house, on the Apalachicola, seizing at the same time upon eleven of our slaves, and all the cattle, horses, utensils, and articles there found, without leaving any thing whatever behind, and also took as prisoners Doyle and Hambly, who justly and reasonably claim of the house the injury and personal prejudice they sustained by such extraordinary and unheard-of proceedings. So many losses, including the labor of the negroes, capital and interest of money, which do not amount to less, on a moderate calculation, than one hundred thousand dollars, should be indemnified by the superior government, to which that of Pensacola is subordinate, either in money, or by a compensation to my house of some other equivalent. The losses are clear and positive, and on inspection of the correspondence between the Governor of the province and the Captain General's office, will suffice to confirm the truth of my exposition; and also on this subject, ample proofs can be given by the surveyor General, Captain Don Vincente Sebastian Pintado, Don Francisco de Arroyo, of the office of the Secretary of the Intendancy, and other equally distinguished individuals, who were in Pensacola, in his Majesty's service. Therefore, considering, on one hand, how difficult it is to pay me, in ready money, as ought to be the case, the hundred thousand dollars, to which my house is so incontestibly entitled, on account of the great scarcity of cash in the public coffers; and on the other hand, that, besides the many services our house has rendered at all times to his Majesty, with whose means and resources, it may be said the troops of the garrison have been sustained, and having still pending and to receive more than eight thousand dollars, we could augment considerably the population of the province without compensation of the aforesaid sum, if an adjudication were made in full property to the said house of Forbes & Co. which I represent, a tract or round of land, which is vacant, and which commences from the creek known as Sweet Water Creek, on the river Apalachicola, and runs directly west as far as the river Chactawhatchee, following the course of said river to its mouth, on the Bay of St. Rosa, then eastwardly, winding along the shores of said bay and the sea, to the boundary of the lands on the east of the Apalachicola, formerly ceded to our house by the Indians, and running along the western boundary of said land up the said river to the point of departure. I am aware that this land, which for the greater part is not capable of being cultivated, will not compensate for the fourth part of the sum which we claim, because the amount of our losses exceeds, as I have said, one hundred thousand dollars; but however it may be, this will be an additional incentive to the loyalty and obedience which we profess to our sovereign, and we do not wish that his Majesty should feel the detriment of such a large reimbursement, contenting ourselves with the hope, that time and our industry may be productive of benefit to the said province; and augmentation to the royal patrimony.

Wherefore, I pray your Excellency, that, in virtue of the recommendations contained in the correspondence between the commandancy of Pensacola and this Government, concerning the above mentioned losses; and the information which I will shortly furnish in proof of them, you will be pleased to adjudicate in full property to the house of Forbes & Co. of which I am principal, and which I represent, the tract of land above designated, according to the points and boundaries explained; delivering the necessary titles of possession, with which we shall rest satisfied, content and compensated for the claims of losses and indemnities demanded, &c. &c. (Signed) Don Pedro de Antonia de Ayala, John Forbes. Also, a copy of a decree of the Captain General, dated Havana, 5th January, 1818. as follows; "To be shewn to the Assessor General, that he may advise that which corresponds. (Signed) Cienfuegos, Miguel Mendez." Also, a copy of notification to John Forbes, (signed) Mendez. Also, a copy of decree of the Captain General, dated Havana, 5th January, 1818. as follows. "Having been inspected, let the petitioner of the house of John Forbes & Co. above mentioned, be received at the Notary's Office, who is charged therewith, and let the testimony prayed for be taken, clothed with the usual forms, which done, let them be returned along with the foregoing. (Signed) Cienfuegos, Del Monte, Miguel Mendez." Also, a copy of notification of the same to John Forbes, on the same day, by Miguel Mendez. Also, a copy of a decree of Ramirez, the Intendant General, dated Havana, 7th January, 1818 as follows: "Let it be done without prejudice to this jurisdiction. (Signed) Ramirez, Campuro, Miguel Mendez." Also, a copy of a deposition in the following words, to wit: "I went to the house of Francisco Gutierrez de Arayo, former Secretary of the Intendancy of West Florida; and now belonging to the Intendancy General Sub-delegate, who having taken the oath usually prescribed to tell the truth, and being examined as to the tenor of the petition of John Forbes, after having carefully perused it, declared, that having resided in Pensacola from February, 1806, in the discharge of his office, he could testify as an ocular witness, that the acts alleged, for which an indemnity is demanded, are so certain and positive, that no impartial person in that Province can refuse to acknowledge. That the losses were enormous, not only in Pensacola, but also in the stores which the demandant held on the rivers Apalachicola and Perdido; that the Indians carried off the slaves on their establishment, concealing them during the residence of Colonel Nichols in that quarter, notwithstanding the remonstrances of the Government, on the commissions given afterwards to Don Benigno Calderon, Captain of the Louisiana regiment, and other officers, as well as to various individuals; so that, in the opinion of the deponent, there is no exaggeration in the sum of one hundred thousand dollars asked for as an indemnity for the aforesaid losses, comprehending more than one thousand head of cattle yokes of oxen, draught horses, and all the utensils and other articles, which were taken off from the stores of Forbes, by the aforesaid Indians; for which, not the smallest compensation has been received by the

said house; it having also been the only one in Pensacola which has rendered important services to the Sovereign. The respondent likewise declared, that the above deposition is the whole truth, in virtue of the oath; that he is fifty five years of age; that the dispositions of the law do not affect him, &c. &c. (Signed) Francisco Gutierrez de Arroya. Before me Miguel Mendez." Also, a copy of another deposition, as follows: "In the city of Havana. same day, month and year. I went to the house of Don Vincente Sebastian Pintado, his Majesty's Surveyor General, who having made to me the customary oath, to say the truth; and being examined in the same manner as the preceding deponent, declared that during his residence at Pensacola, it has come to his particular notice, that, in the various conflicts between the American Indians and the subjects of Great Britain, the house of Forbes & Co. established there by royal licence, for trading with the Indian tribes, suffered the most serious losses, as well in Pensacola as at the Perdido and Apalachicola rivers, by the aforesaid events and causes; and although the deponent cannot state the amount of these losses and injuries, he thinks they must be very considerable. That the said house has rendered most important services at all times, to troops of that station, as well as to our lord the King, (ample proofs of which are to be found in the office of the Secretary of this Government.) The respondent affirms all this to be truth in virtue of his oath, &c. &c. (Signed) Vincente Sebastian Pintado. Before me Miguel Mendez." Also, a copy of another deposition as follows, to wit: In the city of Havana, on the same day, I went to the domicil of Don Francisco Guerrero, Captain in the Louisiana regiment, who, having made the usual oath, and examined as above, declared, ' that during his long residence in Pensacola, knew very positively, that in consequence of the warfare between the American Indians and his Britannic Majesty's subjects, that serious losses were suffered by the House of Forbes & Co.; that at the time Col. Nichols was in that quarter, the same Indians carried off and concealed a number of their negroes; that the same happened when Woodbine made himself their Chief, and compelled them to steal away negroes, and commit other acts of atrocity; that they carried off the quantity of cattle, oxen, and horses specified, after destroying the stores which belonged to the said house, on the rivers Apalachicola and Perdido. That, though sundry steps were taken by the Government in order to procure the restitution of the immense property of Forbes & Co. so pillaged, nothing was returned so that the house was necessitated to claim the same of the Sovereign, who was responsible for them. That there is no doubt the losses sustained do amount to the sum of \$100,000, as well by an approximate calculation, as for the important services which that house has ever rendered to the troops of that station, and to our lord the King. (proof of which may be found in the Secretary's office of this Government.) He also attests to the truth of the above, &c. &c. Francisco Guerrero. Before me, Miguel Mendez." Also, a copy of another deposition, as follows: "In the city of Havana, same day, I went to the house of Don Francisco Morales, Captain of the

Louisiana regiment, who, having taken the usual oath, &c. declared, that having long resided in Pensacola, and chiefly during the warfare between the American Indians and the subjects of Great Britain, he well knows that the house of Forbes & Co. suffered the losses expressed in the first of the preceding documents, &c. &c. (the rest of the deposition the same as the preceding) (Signed) Francisco de Paulo Morales. Before me, Miguel Mendez." Also, a copy of the grant or title in form, as follows: "Havana, 10th January, 1818. Having inspected the above, together with the preceding documents, which were ordered to be sent to the assessor, by decree of the 6th instant—taking into consideration the merits of the case, in which it appears, that the house of Forbes & Co. established by royal permission in Pensacola, for the purpose of trading with the Indian tribes, claims an indemnity of \$100,000, for losses of various kinds sustained during the warfare between the American Indians and the subjects of Great Britain, and during the residence of Col. Nichols in that Province; and, also, when Woodbine, making himself their Chief, instigated them to commit all kinds of robbery; upon all which the necessary representations were at that time made, without effecting a restitution to the said house of Forbes & Co. of any of the negroes, animals, or other property of which they were unjustly spoiled. And, on the other hand, considering, that the tract of land which they ask for an adjudication of in payment and compensation of the aforesaid sum, can never equal that amount; in a Province of such small population, where the lands remain without cultivation, and no one turns his attention to improve them, according to the information which his Majesty's Surveyor General, Don V. S. Pintado, has received; but that entering into the possession of John Forbes, principal partner of said house, he will have the means of *turning said tract to use, by introducing colonists thereon.* and making it beneficial to the state, that which is at present waste and abandoned; which considerations moved his Majesty, in a royal ordinance of the 10th August, 1815, to offer lands to those who were willing to establish themselves in the Island of Porto Rico, as the most advantageous mode that could be employed for increasing population: Therefore, his Excellency making use of the faculties vested in him, has granted, and by these presents does grant the said tract of land to John Forbes & Co. under the points and limits designated in the first of the preceding documents, *the said house remaining without any right of claim upon the royal treasury for the losses and injuries it has sustained, and with the value of said tract, whatever it may be, remaining compensated for every thing, and the demands of said house for indemnity cancelled;* and the Governor of Pensacola, in virtue of this resolution shall put it in quiet and peaceable possession of said tract. His Excellency orders the necessary documents to be delivered to the said house, and the original to remain in the archives. (Signed) Cienfuegos, Del Monte, Miguel Mendez." Also, a copy of a petition of Don Colin Mitchell, agent of the house of Forbes & Co. as follows: "Excellent sir: The house of Forbes & Co. of Pensacola, through their Attorney, in this city, re-

spectfully represents, that, in the midst of the confusion in the public archives of that place, occasioned by the entry of the American army, they have preserved the act, or original decree expedited by Don Jose Masot, political and Military Governor of the Province of West Florida in consequence of that issued by this supreme Government relative to indemnity for losses claimed by their petitioners; and they having occasion for two copies of the latter, one of which to be annexed to the document existing in Pensacola, and the other for their own use, supplicate your Excellency to order the same to be delivered &c. (Signed) Colin Mitchell." Also, a copy of a decree thereon, as follows: "Havana, 18th December, 1818, having seen by the foregoing document what it expresses, let the testimony prayed for by the house of Forbes & Co. be given to them (Signed) Cienfuegos. (Countersigned) Del Monte, Miguel Mendez." Also, a copy of the act of possession, given by Governor Masot, as follows: Don Jose Masot, &c. &c. Whereas, in obedience to the above superior decree of his Excellency the Captain General of this Province, of the 10th instant, by which, as an indemnity, is conceded to the house of Forbes & Co. a tract of land, situated between the river Apalachicola to the East, and Choctahatchee to the West, the ocean to the South, and on the North by a line beginning opposite to the creek known by the name of Sweet Water creek, situated on the Eastern side of Apalachicola, about three and a half miles North of the bluff known by the name of Alum Bluff, and running West to the Choctawhatchee; thence, following the sinuosities of said River to its mouth, on the Bay of St. Rosa; thence, winding along the Eastern shore of the same to the Sea, the high waters of which forms the limits to the South, and till the line joins the limits of the land formerly acquired by the said house, on the West of the Apalachicola in front of the Island of St. Vincent; thence, running along the limits of said lands to the river Apalachicola; thence, the course of said river to the point of departure of the line serving as the Northern boundary line, opposite the aforesaid creek called Sweet Water creek; therefore, and in obedience to the said decree of his Excellency of the 10th inst. I put the said house of Forbes & Co. in possession of the tract of land above described, and in consequence declare and impart to them *full and direct property in the said land*, so that they may the same enjoy, possess, sell or transfer, as they may judge proper, &c. Pensacola, 23d January, 1818. (Signed) Jose Masot. (Countersigned) Carlos Reggio. All which foregoing documents are certified to be true copies by Miguel Mendez, second Escribano of the Government and Cabildo, on the 19th December, 1818, whose signature as such, is accredited on the same day, by Ramon Alvarez, Jose de Galinor, and Lorenzo Hodro, notaries public of the city of Havana. Also, an original order of ejectment, given by Governor Callava, in the following words, to wit: Don Jose Masot, Civil and Military Governor, &c. &c. In consequence of the renewed application of John Inmerarity, esq. I order and command all and singular person or persons, who may have occupied or established

themselves on the lands or territory belonging to Mess. John Forbes & Co. situated and bounding by and between the rivers Chactahatche and Apalachicola, unless by special permission of or agreement with the said Mess. John Forbes & Co. that they shall definitively remove from the same within the peremptory term of ten days after the notification of this order and in case of non-compliance within the time specified, they will be proceeded against according to law. The notification and execution of this order is entrusted to Mr. Jonathan Bunker and for the better confirmation thereof, it is to be translated into English, by Don Jose Ignacio Cruzat; which translation he is to extend and sign, in continuation of this my order. Given in Pensacola, signed with my hand, sealed with the shield of my arms, and countersigned by the undersigned secretary of this Government, this 8th day of October, 1819. (Signed) Jose Callava. (Countersigned) Carlos Reggio.

The signatures to the transcript from Havana, and to the foregoing order of ejectment proven by Joseph E. Caro, by comparison of hand writing. (See the letters of Manuel Gayoso de Lemos and Marquis de Cassa Calvo, Governors General of Louisiana and West Florida, copied in report number one.)

Carlos Evans being sworn, saith that on the return of the grant for said tract of land, made to the house of John Forbes & Co. by the Captain General of the Island of Cuba, and both the Floridas, there was a decree of Governor Masot, putting the grantees in possession thereof, which possession they have held ever since; that a number of improvements have been made on different parts of the said tract, by persons claiming under the grantees; that in the year 1819, at the request of John Innerarity, Governor Callava issued an order ejecting a number of intruders, some of whom were imprisoned for disobedience of the order. And further saith not.

Desiderio Quina being sworn, saith, that he is acquainted with all the foregoing facts, stated by Mr. Carlos Evans, and further saith, that the said house and those claiming under it have held actual possession of the said tract of land ever since the year 1818, by virtue of a grant from the Captain General of the Island of Cuba, and the two Floridas, and a decree of possession given by Governor Masot, and further saith not.

OPINION OF THE COMMISSIONERS.

This grant, for land on the West side of the river Apalachicola, to the house of John Forbes & Co. appears to have made upon the same consideration with those on the East side; with this difference, that there is an acknowledgment of the intendant, that the royal Treasury was responsible to the said house for the losses sustained. The land lies in West Florida, and a title is made to the grantees, conveying a full and direct property; in this case, as in the first mentioned, there is no negotiation with the Indians for a conveyance, although they are represented as having been guilty of the robberies

by which serious losses were sustained. The reasons of this difference are not understood by the undersigned Commissioners.

The only question to be decided in this case is, whether so large a grant for such purposes, could be made without a reference to the King as was done in relation to the claim of Bastrop and others. Upon this point we beg leave to refer to our general report upon large claims, for an explanation of our views. They are general in their character, as the materials out of which they were formed are limited and imperfect. As classes of a similar description have frequently been reported to Congress for their examination, they are believed better prepared to decide them, than the undersigned Commissioners. They therefore respectfully submit the case to their determination.

SAMUEL R. OVERTON,
JOS. M. WHITE,
CRAVEN P. LUCKETT.

No. 3.

A REPORT of a claim of Fernando Yerra, to a tract of Land, containing twenty-five thousand six hundred Arpens, (25,600.) lying north and south, east and west, on Conecuh River, in the District of West Florida by title emanating from the Spanish Government, with an abstract of the evidence reported, in conformity to the provision of the act of Congress, approved May the 8th, 1822, entitled "An Act for ascertaining claims and titles to land within the Territory of Florida," by the undersigned Commissioners, to wit :

The claim of Fernando Yerra, to a tract of land containing 25,600 Arpens, lying north and south, east and west, on Conecuh River, is founded on the following title papers :

An original Decree, made by Manuel Gayoso de Lemos, Governor General of Louisiana, dated New Orleans, 10th February, 1799, commanding Carlos Trudeauux, Surveyor General, to put Fernando Yerra in possession of the land mentioned in the petition, signed and dated as above.

Also, an original plat and certificate of survey executed by Carlos Trudeauux, Surveyor General, dated April 5th, 1799, reciting that he executed the survey for the claimant, in obedience to a decree of Manuel Gayoso de Lemos, Governor General of Louisiana, dated 10th February, 1799.

Also, an original decree of concession, made to the claimant by Manuel Gayoso de Lemos, Governor General, countersigned by Andres Lopez Armesto, Secretary, dated New Orleans, 18th of May, 1799.

John de la Rua, being duly sworn, saith, that he never heard of any such man in Florida, named Fernando Yerra, or of any such

claim as the one now presented; and further saith, that he is well acquainted with the signatures of the Governor General of Louisiana, Manuel Gayoso de Lemos, the Secretary Andres Lopez Armes-to, and Governor Vincente Folch, and that he does not believe either of the signatures to be genuine: that he is also acquainted with the signature of Carlos Trudeau, and does not believe the signature attached to the certificate of survey to be his hand writing, and further, that he never heard of his being in this Province

William McVoy being duly sworn, saith that he has lived in this place forty-two years, and never knew any such man, named Fernando Yerra; that he knows Carlos Trudeau the Surveyor General, never lived in this Province; and that the signature to the grant, purporting to be that of Manuel Gayoso de Lemos, does not appear to be his hand writing; and further saith not.

John Malagosa being duly sworn, saith, that Carlos Trudeau, the Surveyor General, was not in this Province until the year 1803, and proved the other facts stated by William McVoy.

OPINION OF THE COMMISSIONERS.

It will be perceived, by the foregoing abstract of the title papers, and the testimony summoned in behalf of the United States, that the claim of Fernando Yerra, to the abovementioned tract of land, will require but a brief opinion from the undersigned Commissioners. They can have no hesitation in believing, that the title papers exhibited in support of this claim are forged; and that Carlos Trudeau, who is made to certify the survey of the tract of land, was not the Surveyor General of West Florida at the time the grant purports to have been made.

They consider the claim invalid and fraudulent, and advise a rejection of it by the Congress of the United States.

All of which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

No. 4.

A REPORT of a claim of Millan de la Carrera, to ten thousand arpens of land, on the Escambia River, about sixteen miles north of Pensacola, in the District of West Florida, by title emanating from the Spanish Government, with an abstract of the evidence reported, in conformity to the provision of the act of Congress, approved May the 8th, 1822, entitled, "An Act for ascertaining claims and titles to Land within the Territories of Florida," by the undersigned Commissioners, to wit:

The claim of Millan de la Carrera, to ten thousand arpens of

land, on the Escambia River, about sixteen miles from the City of Pensacola, is founded on the following title papers:

An original petition, signed by Millan de la Carrera, dated the 4th of May, 1804, addressed to Don Vincente Folch, Governor General and Sub-delegate of the Intendency, stating, that, since the past year, 1798, he has had a sawmill built to work by water situated about five leagues from this town, and in the same place in which the English had formerly one constructed during the time they occupied this Florida; with respect to which, the owners did not present themselves within the term stipulated in the capitulation, at the conquest of the Province, by the Spanish arms, nor within the prolongation of the said term afterwards accorded. The place therefore remains vacant and at the disposal of Government. In virtue of all which, he, the said Don Millan de la Carrera supplicates your Lordship, that *in consideration of the great expense which has been occasioned him by the aforesaid establishment so useful to the service of the King advantageous to the inhabitants, and enouraging to the settlement*, your lordship will be pleased to grant him in full property, ten thousand arpens of superficies within the following bounds, to wit: Five thousand seven hundred and fifty arpens on the west side of the River Escambia, extending from Stoney Branch to a little above the aforesaid sawmill, to be regulated by the figurative plan herewith annexed, which your petitioner has had taken, for the sake of greater clearness; the said quantity of land not to interfere with an allotment of land of 300 arpens or such number as your lordship may deem proper for the inhabitants employed there to work since the commencement of the undertaking; and the remaining four thousand two hundred and fifty arpens, on the east side of the said River Escambia, in the form following: From the northern and the southern extremes of the space figured in the plan; that is to say, from the mouth of Stoney Branch, and from the mouth of the Branch on which stands the sawmill, draw lines running northeast the distance which may be necessary to include the said number of arpens, so that *sufficient timber may be had for the supply of the mill and pasture for the stock*, and that this useful establishment may at no time hereafter be prejudiced. This grant, however, to be with the absolute exclusion of the Islands great and small, situated in the said River, within the extent petitioned for, which Islands will be understood to remain vacant, and at the disposal of Government. The grace of all which he hopes to obtain of your lordship.

Also, an original decree, made by Governor Folch, dated as before written, stating, that, in consideration of the well known sums, which the petitioner has invested in the construction of the mill he has established, in the same place in which the English formerly had one, and of the benefit which results from it to the service of the King, and the encouragement of the settlement, the grant is hereby made to him of the ten thousand arpens of land that he requires, for the purpose he has stated, and which are described in the annex-

ed figurative plan, to be returned to him, together with his petition, and this decree upon it; all which documents to serve him as a formal title. (Signed) Vicente Folch.

In addition to the foregoing title papers, the said Millan de la Carrera proved, by parole testimony, the signature of Governor Folch, annexed to the grant and that a mill was erected, and large improvements made on the said tract of land abovementioned, about the year 1800, and was a fact of public notoriety

OPINION OF THE COMMISSIONERS.

This is an anomalous claim, and is the only one of the kind presented to this Board. It was made in consideration of the great expense to which the grantee had been exposed, in building a saw-mill, which was acknowledged to be useful to the service of the King, advantageous to the inhabitants and encouraging to the settlement and such a quantity has been granted as was deemed by the Sub-delegate sufficient to enable the grantee to supply the mill with timber, and to pasture his stock. No conditions are attached to it, as the mill had been already erected.

For such a grant as this, we can find nothing in the regulations of Morales, by which it is authorized. These regulations provide only for sales, and for gratuities, for the purpose of pasturage and cultivation. We are, notwithstanding, apprized that the Sub-delegates have been in the practice elsewhere, of making grants of this description. The presumption is, independent of this circumstance, that the subordinate authorities of Spain acted within the pale of their powers. We are inclined to believe the claim a valid one; but of the correctness of this opinion, Congress will be the best judge; as grants like the present, have often been submitted to their consideration. If any doubts are entertained, as to the power of Governor Folch, who made it, they may require the claimant to produce the law or ordinance under which he acted, or exercise a discretion to what extent they will give the grant confirmation.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

No. 5.

A REPORT of a claim of Margarita Goquet, mother of Joseph Poll, to 10,000 arpents of land, at the Big Spring of Chipola, in the District of West Florida, the title emanating from the Spanish Government, with an abstract of the evidence reported, in conformity to the provision of the act of Congress, approved 8th May, 1822, entitled, "An Act for ascertaining claims and titles to land, within

the Territories of Florida," by the undersigned Commissioners, to wit:

The claim of Margorita Goquet is founded on an original plat and certificate of survey, executed by Don Pedro Reggio, Deputy Surveyor General of West Florida, on the — day of — of 10,000 arpents of land, at the Big Spring of Chipola. Also, an original Decree of Concession, made by Don Jose Masot, Governor, &c. countersigned by the Assistant witnesses, Domingo Sousa, and Jose Cevallos, bearing date the 16th of October, 1817, made to Joseph Poll; also, an original grant by Governor Masot, countersigned by the same assistants, and bearing date the 18th November, 1817.

Joseph E Caro proved the signatures of Reggio, Masot, Sousa, and Cevallos. Joseph Moura, being sworn, saith, that in the year 1817, he assisted in transporting hands and provisions to the tract of 10,000 arpens of land, at the Big Spring, on Chipola, granted originally to Joseph Poll, in order to commence improvements and cultivation thereon; that, five or six months afterwards, he visited the same place, at which time they had built a house, and cleared and enclosed a large piece of ground; that Joseph Poll was the son of Margorita Goquet, who inherited the said tract of land at his death, and further saith not.

Manuel Moura being sworn, saith, that he attended Joseph Moura when he visited the said tract of land, at the aforementioned periods, and is acquainted with the facts stated by him; and further saith, that the negroes employed by said Poll, in the improvements and cultivation aforesaid, absconded, and of which was never recovered; and further saith not.

Joseph E. Caro, sworn, proved, that the grant made to Joseph Poll, and presented by Margorita Goquet, is the hand-writing of Francisco Gomez.

Francisco Moreria, sworn, saith, that Juan Miguel de Losada, left this place in the month of November, 1817, and that he acted as Fiscal until that date; and that afterwards Manuel Armirez succeeded him. That he thinks the title papers, in the above case, are the hand-writing of Francisco Gomez.

OPINION OF THE COMMISSIONERS

Upon the claim of Margorita Gauquet, to 10,000 arpents of land, at the Big Spring of Chipola. The land claimed by the petitioner, is situated about fourteen miles west of the Appalachicola river, around the Big Spring of Chipola, and purports to have been granted to Jose Poll, by the Governor and Sub-delegate of West Florida, for agricultural purposes. The title itself is an anomaly, being the only one, with a single exception, in West Florida, in which the Governor has attempted to make a grant of that magnitude to an individual claimant, for cultivation. The undersigned Commissioners can have no hesitation in believing that this grant would not have been confirmed by the superior authorities of the Spanish Govern-

ment, according to her laws and ordinances referred to in their general Report on Spanish Claims, and the Report on large Claims, to which a particular reference is suggested for their views of the powers of the provincial officers of his Catholic Majesty, and the policy of the Government in the concession of the Domain. We cannot, however, dismiss this claim, with justice to the Government of the United States, without a few additional remarks. It is believed that the Chipola country, the finest part of West Florida, in which this claim is located, was unexplored by, and inaccessible to, the Spaniards, until some time after the 24th of January, 1818, the period subsequent to which, no claim is valid by the 8th article of the Treaty.

The grant bears date in October, 1817. The King's Attorney, or Fiscal, to whom the petition was referred, appears, from the title papers, to be Manuel Armirez, who is ascertained not to have been appointed to that office, until November, 1817. All the genuine grants of October, are made with the concurrence and intervention of Juan Miguel de Losada, who is now living in Havana. It is apparent, from the foregoing, that the grant is either antedated or forged. In addition to this, it is in the hand-writing of a young man, who is proved, by the most incontestible evidence on our records, never to have been employed in the Government office, as an assistant witness or clerk, and who is also proved to have been only learning to write in that year, and have been unable at that time to have written the hand in which the title papers appear: and who is also proved to have written a number of grants which are ascertained to have been fabricated in 1820 and 1821. With such a combination of facts and circumstances, added to the anomalous nature of the claim, and the want of power in the granting authority, the undersigned are of opinion that the claim is invalid, and ought to be rejected; which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON.
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

No. 6.

A REPORT of a claim to a tract of land, containing 7,500 arpens, at a place called Belle Fontaine, in the District of West Florida, by title emanating from the Spanish Government, with an abstract of the evidence reported, in conformity to the provision of an act of Congress, approved May the 8th, 1822, entitled "An Act for ascertaining claims and titles to lands within the Territory of Florida." by the undersigned Commissioners, to wit:

The claim of the heirs of Vincente Crespo, to 7,500 arpens of land, at a place called Belle Fontaine, in West Florida, about ten

miles from the city of Pensacola, is founded on—the petition of the heirs of Vincente Crespo, “respectfully representing, that, soon after the occupation of this Province, by the Spanish authorities, in the year 1781, the father of your petitioner obtained from Auturo O’Neil, then Governor and Sub delegate of West Florida, a grant for seven thousand five hundred arpens of land, situated at a place called Belle Fontaine, about ten miles from the city of Pensacola. That the said Crespo, the father of your petitioner, immediately after obtaining the grant aforesaid, made extensive improvements on the said land, which he continued to improve and cultivate for many years previous to his death; that owing to the confusion and irregularity which prevailed in the office of record of this Province, for many years previous to its occupation by American authorities, all the official documents on which the claim of your petitioners depend, have been lost or destroyed. And, from the unfortunate and unprotected situation of your petitioner, since the death of their father, the said Vincente Crespo, they have been unable to obtain any documentary evidence, in support of their claim to the said land. But your petitioners are prepared to shew to your Honours the former existence of the grant aforesaid, and that the right of the said Vincente Crespo, and of his heirs, to the said 7,500 arpens of land, was recognized, and respected for more than twenty years by the Spanish Government. Wherefore, your petitioners pray that they may be confirmed in their right.

Joseph E. Caro, being duly sworn, saith, that he has been intimate with the public archives, since the month of August, 1819, and that he has never seen amongst them any document or evidence of title to the tract of 7,500 arpens of land, claimed by the heirs of Vincente Crespo, and further said not.

Antoine Colein, being duly sworn, saith, that, in 1807, he first visited the tract of 7,500 arpens, claimed by the heirs of Vincente Crespo; that there were some horses, a large field cleared, enclosed, and under cultivation, and some fruit trees growing; that the improvements were made at the instance of said Crespo, and he thinks, from their appearance, have been made a number of years; that the said Crespo lived there 4 or 5 years subsequent to the year 1807, and that the said land has been in the possession of the said Crespo, his heirs and agents, ever since that period. The said Crespo has been considered a man of wealth ever since he knew him—possessing some negroes, a large stock of cattle, hogs, and some horses; that, when he came to this country in 1801, he sold to said Crespo 180 head of cattle, and that he owned other cattle, and five negroes at the same time, together with some horses, and, in 1807, he was considered a man of wealth: and further saith not.

Charles Lavalley says, that, in 1803, or 4, he was upon the said tract of land, and saw some horses, and a large field cleared, enclosed, and under cultivation; that, when he saw the houses, they did not appear to have been built many years; that, about the year 1803 or 4, the said Crespo was in the habit of branding from 200 to

280 calves, annually: and that he accompanied him to Fish River, when he purchased 200 head of cattle, and that some time afterwards the said Crespo purchased a cowpen of Panton, Leslie & Co. for which he paid \$20,000; and further saith not.

Eugenio Lavalle says, that, about 24 years ago, he visited the tract of land of 7,500 arpens, at the place called Belle Fontaine, claimed by the heirs of Crespo, and saw a number of houses, and other improvements, suitable for a cowpen; that Crespo had two negroes there, and supposes, from the number of pens and calves, that there were between two and three hundred head of cattle, together with some horses; that the improvements appeared to have been made some time: and further saith not.

Joseph Maura says, that he was upon the said tract of land more than 23 years ago, and has been there several times since: and saw, when first there, a large stock of cattle, 7 or 8 horses, and two negroes, belonging to Crespo: that Crespo was established, and made improvements previous to the year 1800; and further saith not.

John de la Rua says, that he first saw the tract of land in 1813 or 1814; that the improvements then appeared to be very old, and consisted of some houses, and a large field cleared and enclosed, which seemed to have been under cultivation for some time, and has always understood the said land and improvements were the property of Vincente Crespo; that Colonel King now occupies the land, by permission of Madame Crespo; and further saith not.

OPINION OF THE COMMISSIONERS

Upon the claim of the heirs of Vincente Crespo, to seven thousand five hundred arpens of land:

The petition of the claimants, in the foregoing claim, alleges the existence of a grant made by Auturo O'Neil, to their ancestor, for the abovementioned tract of land, which, by accident, or casualty, has been mislaid or lost.

The rule of law, in relation to lost instruments, is too familiar, to require any thing more than a reference to it.

The claimants, in the above case, do not prove that there was a grant for any quantity of land; the witnesses summoned by them testify to improvements only, which might have been made on the lands of the Royal domain.

There being no evidence of any title given by His Catholic Majesty, or his lawful authorities, the undersigned Commissioners are of opinion, that the claim is invalid, and advise a rejection of it by the Congress of the United States.

All of which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

No. 7.

A REPORT

Of a claim of Francisco Zurima, to a tract of land containing 5,760 arpens, (five thousand seven hundred and sixty) lying on the north side of Escambia river, in the district of West Florida, by title emanating from the Spanish Government, with an abstract of the evidence reported, in conformity to the provision of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territory of Florida," by the undersigned Commissioners, to wit:

The claim of Francisco Zurima to a tract of land containing 5760 arpens, lying on the northern side of Escambia river, is founded on the following title papers.

An original decree made by Manuel Gayoso de Lemos, Governor General of Louisiana, dated New Orleans, 15th July, 1799, commanding the Surveyor General or his deputy, to survey and put the petitioner in possession of one square league of land, as he solicits, at the place mentioned in said petition, being vacant, and without interfering with a third person drawing a figured plat of the same, and so done, to be remitted to him, in order to grant the petitioner the title in form; signed and dated as above.

Also an original plat and certificate of survey, executed by Carlos Trudeauux, Surveyor General, dated 4th of September, 1799, reciting that he executed the survey for the claimant, in obedience to a decree of Manuel Gayoso de Lemos, Governor General of Louisiana, dated New Orleans, 15th July, 1799.

Also, an original decree of concession made to the claimant by Manuel Gayoso de Lemos, Governor General, countersigned by Andres Lopez Armesto, Secretary, dated New Orleans, 10th of Oct. 1799.

John de la Rua being duly sworn, saith, that he never heard of any such man in Florida, named Francisco Zurima, or of any such claim as the one now presented; and further saith, that he is well acquainted with the signature of the Governor General of Louisiana, Manuel Gayoso de Lemos, and the Secretary Andres Lopez Armesto; and that he does not believe either of the signatures attached to the grant to be genuine. That he is also acquainted with the signature attached to the certificate of survey, signed Carlos Trudeauux, and does not believe the signature to be his hand writing; and further, that he never heard of his being in this Province; and further saith not.

William McVoy being duly sworn, saith, that he has lived in this place forty-two years, and never knew any such man named Francisco Zurima; that he knows Carlos Trudeauux, the Surveyor General, never lived in this Province, and that the signature affixed to the grant purporting to be that of Manuel Gayoso de Lemos does not appear to be his hand writing; and further saith not.

John Malagosa, being duly sworn, proved the above facts, and further saith, that Carlos Trudeauux, the Surveyor General, was not in this place until the year 1803; and further saith not.

OPINION OF THE COMMISSIONERS.

It will be perceived by the foregoing abstract of the title papers, and the testimony summoned in behalf of the United States, that the claim of Francisco Zurima to the above mentioned tract of land will require but a brief opinion from the undersigned Commissioners; they can have no hesitation in believing that the title papers exhibited in support of this claim are forged; and that Carlos Trudeau, who is made to certify the survey of the tract of land, was not the Surveyor General of West Florida at the time the grant purports to have been made.

They consider the claim invalid and fraudulent, and advise a rejection of it by the Congress of the United States.

All which is respectfully submitted.

SAM'L R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

No. 8.

A REPORT

Of a claim to a tract of land of five thousand arpens, known vulgarly by the name of Garzon's Point, situated about six and a half miles E. N. E. from the city of Pensacola, in the district of West Florida, by title emanating from the Spanish Government; with an abstract of the evidence reported, in conformity to the provision of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territory of Florida," by the undersigned Commissioners, to wit:

The claim of Joseph Bonifery, to a tract of five thousand arpens of land, is founded on the following title papers.

A copy of a plat and certificate of survey, executed by Vincente Sebastian Pintado, Surveyor General, dated Havanah, the 7th day of May, 1818, stating, that Maria Garzon, Indian of the Tallapoosaw or Creek nation, and widow of Antonio Garzon, Interpreter to the Indians at Pensacola, having petitioned the Governor of West Florida, the twentieth of February, 1817, and fully proved her right to the land known vulgarly by the name of Garzon's Point, which Count de Galvez had permitted her deceased husband to occupy and possess in consideration of *his good services*, and which they occupied and possessed quietly for more than thirty years without interruption; he applied to the Intendant, Don Alexander Ramirez, for a formal title. And his Excellency having seen the contents of a second petition of 21st November last; the opinions of the Ministers, of the 24th November; and that of the Fiscal of 23d January of this year, *he ordered*

a survey to be made of the said land, which is situated six and a half miles E. N. E. from Pensacola, in its nearest part, and 280 perches S. 4. S. E. from the mouth of Front creek, forming a peninsula or tongue of land, bounded on the north by Manuel Hernandez's tract, other vacant lands, and those submitted for by Jose Bonfery; on the south and east by the bay of Sn. Mairy of Galvez at its entrance; and on the west by the bay of Pensacola; as more fully appear by annexed plat And according to the extension which, without prejudice to a third, could be given to said land, and which was probably the very same assigned to the said Garzon, it contains of good middling and bad quality about 5000 acres, the locality not permitting the measurement with geometrical precision of all its sinuosities, without incurring to the party expense which she could not support, especially as exactness is not absolutely necessary, the limits on the borders of the said neighbors, being well defined. The whole with exclusion of a strip of land, which is to be free for a public road on the border of the two bays, and which, if necessary, must be seventy feet wide.

Also, an original grant or title in form, made to Maria Garzon, widow of Antonio Garzon, deceased, by the Intendant, Alexander Ramirez, countersigned by Pedro Carambot, Secretary of War, dated Havana, 16th May, 1818, reciting, that the said Maria Garzon presented a petition on the 25th October last, addressed to the Intendant of Havana, with the annexed authenticated copy of the proceedings, instituted before Governor Masot, in the year 1817, in which the said Maria Garzon proved that the said Antonio Garzon *was in possession of the said tract of land better than thirty years, which tract of land the said Garzon obtained by a decree of Brigadier Anturo O'Neil, Governor General of the Province of West Florida; ratified and confirmed by his Excellency Count de Galvez, in consideration of his good services, rendered as Interpreter to the Indians at Pensacola.*

Also, a copy of a mesne conveyance from Maria Garzon to the claimant, passed before Governor Masot, countersigned by Domingo Sausa and Jose Cevallos, assistant witnesses, dated 22d of Sept. 1817; certified to be a true copy by the same persons on the same day.

In addition to the foregoing title papers, the said Joseph Bonifery proved by parole testimony, the signature of the Spanish officers annexed to the grant; and the said Antonio Garzon cultivated and possessed the above tract of land for thirty eight years; and that he had cattle on the same; and that the produce was brought to this place for sale by him; and that the grant was made to Garzon by Anturo O'Neal, Governor General, for services rendered by him as Interpreter.

OPINION OF THE COMMISSIONERS.

The certified copy of a plat and certificate of the former Surveyor General of West Florida, as well as the grant of the Intendant upon which this claim depends, are dated subsequent to 24th January, 1818. Those officers, in regard to Florida, no longer existed; Pintado and

Ramirez were irresponsible persons; and the former presents us with a copy, when we are entitled to the original, under the solemn stipulations of the treaty between Spain and the United States. How far such documents are admissible, must be decided by Congress.

In the certified copy of Mr. Pintado, he avers, that the survey was made in obedience to an order of the Intendant, but does not give the date of the order, or of its execution. The grant recites proceedings had before Governor Masot. in 1817. which establishes the long possession of Garzon; and that he obtained the land by a decree from Governor O'Neil for his good services. Whether the grant was a gratuity upon the ordinary conditions, or for public services, we are unable to ascertain. From the adduction of proof to shew Garzon's long possession and cultivation of the land, we are induced to think it was a claim of the former description; and his services as Interpreter was the *inducement*, and not the *consideration* of the grant. Agreeably to the treaty of 1784, by which the Indians were incorporated as Spanish subjects, the grant could be made to the widow Garzon by the Intendant; but we submit it to Congress to decide whether Governor O'Neal was competent to make such a grant as a gratuity, or as a remuneration for public services, as Indian Interpreter. Garzon's family and flocks are not proved to have warranted the first; and we are not advised how far his good services authorized the second. Feeling ourselves somewhat at a loss for an opinion in this case, we have submitted its determination to the superior information of Congress.

All which is respectfully submitted.

SAM'L R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

No. 9.

A REPORT of a claim of Pedro de Alba, to 18,900 arpens of land, upon the peninsula between Pensacola Bay and St. Rosa's Sound, by a title emanating from the Spanish Government, with an abstract of the evidence, reported in conformity to the provisions of an act of Congress, approved May 8th. 1822, entitled "An Act for ascertaining claims and titles to land in the Territories of Florida," by the undersigned Commissioners, to wit:

MOST ILLUSTRIOUS SIR: Don Pedro de Alba. with due respect, exposes to your honor, that. *having a quantity of cattle, and there being a scarcity of convenient pasture ground to secure their preservation and breeding*, he has not as yet been able to obtain this object; on the contrary, he is daily losing his cattle, on account of the past and present critical circumstances, as your honor well knows. from the notoriety of the injury done to all other inhabitants in this part of their wealth. He is, therefore, under the necessity of looking out for a

more secure spot for his cattle; and considering that the other side of the Bay from Deer Point, as far eastward as he may want, would be very convenient for him, he supplicates your honor to grant him the necessary license for passing over his cattle, and forming a cowpen; which favor he trusts will be accorded him, on account of its usefulness to this place. Pensacola, 28th March, 1814. Peter Alba.

I certify, that, at Cabildo, held this day, amongst other things, the following was agreed upon: "And finally was read another petition from Don Pedro de Alba, begging permission to form a cowpen on the opposite side of the Bay from Deer Point eastward, to where he may have occasion for, upon which the members determined to grant him the permission he solicits, on condition that he shall not prevent the inhabitants of this place from cutting any kind of wood on that spot." In witness whereof, I hereby give this, which I sign in Pensacola, on the 28th day of March, 1814—Joseph Maria de la Pena, Secretary.

To His Excellency the Governor: Don Pedro de Alba respectfully submits to Your Excellency that he has in possession a quantity of cattle, and there being a want of convenient pasture ground, for securing to him their preservation and breed, he has not been able to find what he has occasion for; on the contrary, he is sustaining a daily loss by reason of the late and present critical circumstances, Your Excellency well knows, from the notoriety of the general injury done to the other inhabitants, in this branch of their wealth, and considering the fitness of the opposite side of the Bay, from Fan or Deer Point eastward, to the spot where he had put up a fence, which cost him \$200, to shut his cattle and horses, which he passed over in the year 1814, and which the English and Indians, as it is well known, destroyed; and, in order to proceed in transporting his cattle, he supplicates Your Excellency most graciously to grant him the said spot in the same manner as those granted to other inhabitants, &c. &c. Pensacola, 24th October, 1817. Pedro de Alba.

Pensacola, October 24th, 1817. To be passed to the Assessor General and Auditor of War. Masot.

Pensacola, October 24th, 1817. Let Don Pedro Reggio, as Surveyor pro tempore, advise, whether the land which the petitioner asks for, be vacant, or of the Domain; and if it is so, let this be shewn to the Fiscal of the Royal Finances, that he may thereon make what observations he may think proper. Hernandez.

To His Excellency the Governor and Sub-delegate of Royal Finances.

The petitioner solicits a grant of that tract of land, which lies between Deer Point, or the west cape of the small point formed by the Bay of Pensacola and the Straits of St. Rose's, and a fence which he says was made by him in the year 1814, and which the Indians and English destroyed. I am ignorant of the spot where the fence was erected, but, from the demand of the petitioner, I conclude it was eastward of the Point called Careening Point, which is opposite to this place, on the other side of the Bay. By Decree of the 25th of

September last. Your Excellency was pleased to grant to *Don Eugenio Lavallet*, an inhabitant of this place, 800 acres in the same spot and peninsula. By Decree of the 24th of October last. Your Excellency also granted to *Jayme Barcelo*, of this place, 800 acres on the spot called *Shell Hill*, which piece of land is to the east of the preceding, bounded on the south by the aforesaid Strait; consequently these two tracts form a part, if not the whole of that which *Don Pedro de Alba* solicits, unless the fence which he mentions be one which existed, and began near the mouth of the River Jordan, or Yellow Water, and terminated at the Strait of St. Rose. In this case, the tract of land which the said *Don Pedro de Alba* asks for would consist of nearly 18,000 square acres—abating the 1 600 granted to *Lavallet* and *Barcelo*, there would remain 16,400 acres, which I consider Indian Territory, as I have already informed Your Excellency in the petitions proffered by *Lavallet* and *Barcelo*. Your Excellency will resolve what you may think more proper, &c. &c. Pensacola, November 3d, 1817. *Pedro Reggio*.

Be it communicated to *Don Pedro de Alba*. [Two flourishes.]

To His Excellency the Governor and Sub-delegate of the Royal Finances.

Don Pedro de Alba respectfully represents, that, in consequence of the notification given to him of the petition which he presented on the 24th of October last, in which he solicits the Land lying between *Carcene* and *Deer Points*, and from thence to the spot where he erected a fence, part of which was destroyed by the Indians; and in consequence of what *Don Pedro Reggio* has informed Your Excellency, he declares, that, on the 28th of March, 1814, there was granted to him the piece of land of which he now solicits the title, by the *Cabildo*, which then governed in this place, agreeably to the annexed documents; in consequence of which, he ordered a fence to be erected, and passed over, as is well known, thirty-eight breeding cows, two bulls, seven horses, and four negroes, all of which were on the other side at the time that the English and Indians retired from this place for *Appalachicola*, carrying with them the cattle, horses, and two negroes, after having killed the remaining two, for not allowing them to rob the provisions they had for their own use; for which reason he considers himself entitled to the said land, having possessed it for four years, taking into the account the loss which he equally sustained, of all the lumber which he had prepared for a house of 40 feet front, and ready to be transported to the neighborhood of *Deer Point*, and burnt by the Indians. And notwithstanding the 800 acres granted to *E. Lavallet*, and as many to *J. Barcelo*, which was the choice of the whole tract; in consideration of all which, and of what he has declared, requests Your Excellency to grant him the Land which he solicited in his first petition for said purposes. Pensacola, December 3d, 1817. *Pedro de Alba*.

Pensacola, December 20th, 1817. In consequence of what the Minister pro tempore of the Royal Finances gave as his opinion on the 19th December, inst., at the instance of *Mary Weaver*, stating

that the Indian Nation had no claim to the land which the petitioner asked, nor even to others more distant, as was also decreed by the Minister Principal, Don Juan Miguel de Losada, in the similar case of Jayme Barcelo. Therefore, let there be granted to the petitioner the acres of land which he solicits; for which end, these proceedings are to be passed to the Surveyor appointed, that he may put him in possession of them, after notice being given to the neighboring claimants, and without prejudice to a third party, drawing out a plot, which shall be presented to this office, in order to obtain the necessary title; let the costs be paid by the petitioner, and a copy of these proceedings to be left at the office, *to give information to the superior authority for his approbation.* Masot. Sausa Cevallos.

This is a true copy of its original, which remains in the Public Archives which I certify, and, at the request of the party, I grant this in six folios of common paper, the sealed not being in practice. Pensacola, 2nd of August, 1819.

(Signed) JOSE CALLAVA.

(Signed) JOSE CEVALLOS.

(Signed) DOMINGO SAUSA.

Don Vincente Sebastian Pintado, Captain of Infantry, Surveyor General of West Florida, for His Majesty, now in this city, by the disposition of Don Alexandro Ramirez, Intendant, &c. &c.

The Ayuntamiento (Town Council) of Pensacola, having, at their meeting of the 28th of March, 1814, acceded to the petition of Pedro de Alba, Sen., praying leave to establish a cowpen on that side of the Bay opposite to the town, from the Point called the Carenero, (Careening place.) continuing eastward, as far as occasion may require, it became necessary that the extent should be determined, in order that it might be ascertained what portion of that tongue of land appertained to the Royal Domain, and I effected that object by limiting him to a spot where he had begun an enclosure, fifteen English miles distant from the most westerly point of the Careening ground, by a line drawn from said spot due south, until it meets St. Rose's Sound—the space enclosed by the same, *containing twenty thousand five hundred superficial arpens, more or less,* according to the notes in my Note Book, No. 3. And, inasmuch as said land was granted to said Don Pedro de Alba by the Sub-delegation of the Royal Finances of that Province, in a Decree of the 20th of December last, but with respect to the extent and configuration of the same, some doubts have occurred to the Deputy in said Province, in consequence of his not knowing what its eastern boundary was to be, and of two precedent grants having been made by the same Sub-delegation of eight hundred arpens each—the one to Eugenio Lavallet, and the other to Jayme Barcelo', the plots of which have not yet come to my hands, and of the situation of the first of which only. I am informed; having, moreover, been notified of all these circumstances by a copy of the Decree of said tribunal, and by a letter of Alba himself, dated 22nd December, it becomes necessary to clear up this difficulty, and to set-

the the affair on terms on which none of the parties can suffer any injury, and whereby each may know what belongs to him, by reason of said grant, and may peaceably undertake his labors, and reap the fruit of his industry, *it being the particular province of the Surveyor General to settle differences and disputes of this nature.* The following remarks must be attended to, for whose better understanding and observance the accompanying figurative plan will be of service:

1st. That at no time, and for no reason (except in the case which will be mentioned further on,) can Don Pedro de Alba pretend to, or claim more land towards the east, than is designated in the foregoing plot, signed by me on this day, and having for its boundary the north and south line drawn at fifteen English miles distant from the most westerly point of the Careening ground, agreeably to the limitation made on the 2nd of January, 1815.

2ndly. That the twenty thousand five hundred arpens superficies, contained in the tract represented in the plot, are reduced to eighteen thousand nine hundred, by reason of the grants to Lavallet and Barcelo, mentioned by the Deputy in his Report of the 3d November, last year, which are not represented, because the surveys of them have not arrived, but of which positive information has been obtained; that the first is situated at the point A on the plot, and the other will be laid on the spot which its tenor may require, without the possibility of any opposition, on the part of Don Pedro de Alba.

3rdly. That Don Vincente Ramo, having solicited two thousand five hundred arpens superficies, on the western part of said tongue of land, and space marked on the plot with the letters B, C, D, E, by a petition of the 28th of September, 1817, addressed to the Superintendent, and pursuant to his Decree of the 2nd of October following, reported by me on the 7th of the same month; and the concession or refusal not having yet come to my knowledge, the said Pedro de Alba should be notified, that, in case the grant has been made, he must not resist or oppose possession being taken of said land but his eighteen thousand five hundred arpens are to remain complete leaving out the space F which is still a part of the Royal Domain, and is destined for the abovementioned purpose.

For a perpetual testimony of the same, and in order that no difficulties may arise hereafter between the parties, I give the present on file in the city of Havana, this fifteenth day of January, one thousand eight hundred and eighteen.

(Signed) VINCENTE SEBASTIAN PINTADO.

I, Don Joseph Callava, Knight of the Military Order of St. Hermenegildo, decorated with the Cross of Distinction of the Battle of Almoçid, Colonel in the Royal Armies, and Military and Political Governor of the Province of West Florida, &c.—

Do certify, that, in the month of August last, Don Pedro de Alba presented to me a grant of land, made to his father by the Sub-delegation, on the 26th December, 1817, situated on the opposite side of the Bay, requesting that he might have, a copy, and that

the original might remain, as is customary, in evidence of the same, in this Public Archive. But, owing to the confusion of the papers in the months of December, January, and February last, when an invasion was apprehended from the American troops, at which time the Archives of the Province were carried with great precipitation to Fort St. Carlos de Barancas, it is presumable that the said original documents may have been mislaid, or mixed with other papers; and although the assistant witnesses have searched for them by my order, they have not come to light amongst the Archives.

In testimony whereof, I give the present certificate at his request, in order that it may serve at all times, and before any tribunal whatever as an evidence of the unlucky accident which befel said original Decree. Pensacola, this 21st day of March, 1820. (Signed) Joseph Callava.

Ambrose Crane being affirmed, saith, that, in the month of July or August, 1819, he settled upon a piece of land in Santa Rosa's Sound, and that, in a conversation shortly afterwards with Peter Alba he acknowledged that his claim only extended to the Spanish Old Fields, and that if he, Mr. Crane, was beyond them, he was not on his land; and further saith not.

Eugenio Lavallo, sworn, saith, that Pedro Alba, Sen. made a plantation on the above tract of land, previous to the year 1814, that he had some cattle and horses on the land, and hands at work, that he was obliged to abandon it, in consequence of hostilities of the Indians, in 1814; returned to it in 1817, and has been in possession ever since, and that he was on the land in the year 1814; and further saith not.

Joseph Noriega sworn, confirms the above facts stated by Eugenio Lavallo.

OPINION OF THE COMMISSIONERS.

From an examination of the foregoing title papers, it will be seen, that this claim originated under the Constitutional Government of Spain, in the year 1814, upon an application to the Ayuntamiento, or Cabildo of West Florida, for permission to graze cattle on the other side of the Bay from "Deer Point as far eastward as the petitioner might want." This permission was granted to him upon a condition prescribed by the Cabildo that clearly indicated an intention not to give any title of property; and admitting them to be competent to do so, which is very questionable, it would have been done subject to the approval or rejection of the Provisional Junta of Havana, according to a decree of the Cortes, then of binding authority, as a law of the Spanish Government. We have every reason to believe that such a grant would never have been confirmed to any extent greater than the quantity allowed for Cowpens, by the regulations of the Governor General of Louisiana, and the Intendant and Superintendent General of that Province and West Florida, which is a quantity far less than that claimed by the petitioner. The act of the Cabildo could, at best, only be considered as a permit of settlement, which

if occupied for a number of years, according to the usages and laws of the Province, would have entitled Mr. Alba to a concession of 800 arpens of land. The claim, in its further progress, is entirely an anomaly. The claimant, aware that he had no right derived from the license of the Cabildo petitioned the Governor for a grant of the land to the place where he had built a fence some time before, which is a vague designation of the limit of the land petitioned for, and is since ascertained by the testimony, to be a point that would only include in the area about three thousand, instead of 18,900 arpens, now claimed by Mr. Alba. and to cover which, he has, according to the evidence of Mr. Crane, selected a point of considerable distance up the Sound, for the location of his fence, not thought of by him so late as the year 1819. It will be seen, by the Report, purporting to be that of the Surveyor, that he does not comprehend the extent of the application, and does not give any satisfactory information upon which a grant for a specific quantity might be given; and the Governor, contrary to established usage, and the laws and ordinances of the Spanish Government, has made a Decree of Concession, without any knowledge of the quantity, and without reference to, or the intervention of the Fiscal, or King's Attorney, whose opinion was always required in regular grants, as will be seen by reference to our General Report on Spanish Claims, and the formation of the tribunal of the Intendant or Sub delegate, according to the laws of the Indies. The certificate of the Surveyor General, in relation to the land, is an extra official act, made subsequent to the 24th of January, 1818, and therefore would be entirely disregarded, if it did not bear internal evidence of the time and object for which it was written. It is confidently believed, that no survey was ever made of the land, and his intention in his office at Havana was, to give figure and dimension to that which had none before, and to fabricate himself a title for the claimant that he himself did not think of until 1819, when the Province was surrendered to the United States. The certificate of Governor Callava is worthy of particular remark. He certifies, that, in August, 1819, Don Pedro de Alba presented to him a grant, requesting that the original might remain in the office, and a copy be delivered to the claimant. By the organization of the Spanish tribunal, the original grants, at the time they were made out, are required to be placed in the office, and entitled *diligencias* (proceedings,) a copy of which is delivered to the party interested. This Decree of Concession purports to have been made in 1817, and how Mr. Alba should have had the original in August, 1819, is a matter entirely unexplained. If it was a genuine original, why did not the claimant keep it in his possession, as he had done from the year 1817? But, in consequence of the confusion of the papers, says Governor Callava, the original was lost! It is somewhat extraordinary, that this paper, which was deposited for safe keeping in a public office, in which, by law, it ought to have remained, should have been the only one of which we have any account in our extensive examinations, which is alleged to have been lost in the confu-

sion of that expected invasion. If this grant was fabricated, the claimant could, with greater prospect of success, impose upon the Government of the United States by a certified copy, than the original, with all the signatures and rubrications; and that will more reasonably explain the loss of the one deposited in 1819. It will also be observed that, as an inducement to this grant, Mr. Alba alleges the loss of his cattle, horses, and materials for a house; and in consideration of what is set forth in his petition, the concession is made; and, notwithstanding the grant, he presented a claim against the United States for the same *losses*, and made affidavit, that he had never received any compensation. From a view of the claim and evidence, the undersigned Commissioners are of opinion, that the Governor and Sub-delegate of the Province was not invested with power to make such a grant and that it never would have been confirmed by the superior authorities of the Spanish Government, allowing it to be genuine; but from its irregularity, and questionable shape, they cannot advise a confirmation of it.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

A.

The examination of most of these claims was made under the acts of Congress passed on the 8th of May, 1822, and 27th February, 1823. Although it would appear from the abstracts, which are framed agreeably to the regulations of Morales, that the lands were designed for cultivation alone; yet it is a fact, that the greater number of cases were intended both for pasturage and agricultural purposes, and some for the former alone.

These grants, concessions, and orders of survey, were proved to have emanated from His Catholic Majesty, or his lawful authorities in the Floridas prior to the 24th January, 1818. The claimants adduced satisfactory evidence of their having substantially fulfilled the conditions imposed upon them, either before the date of the treaty between Spain and the United States; or having been prevented by the recent circumstances of the Spanish nation, and the revolutions in Europe, completed them within the time limited in the same respectively, subsequent to that period. It was also in proof, that the orders of survey have been actually executed anterior to the 24th January, 1818, agreeably to the requisitions of the act of Congress passed 8th May, 1822.

In our examinations under the act of Congress, passed 27th February, 1823, we have ascertained the facts of actual settlements prior to the cession of the Floridas to the United States, and particularly as indispensable to authorize us to decide claims over 1000, and under 3500 acres. Where our enquiries have been directed by the act passed on the 28th February, 1824, upon the presentment of the originals, we have only required the deraignment to be made out by office abstracts for the last ten years preceding the surrender of Florida to the United States, with a deed or devise to the claimant, and a compliance with the conditions attached to the claim.

A concession is merely a grant of the land petitioned for, before the making out of a formal title. The first is generally made when the order of survey is decreed, and the last after the plat and certificate are returned, and conditions, if any, are performed. Where the concession and titles in form are both filed, we have given the date, &c. of the first, and noted the other in the column of general remarks.

The Sub-delegates and Intendants of Havana have in some instances proceeded to complete the claim subsequent to the 24th January, 1818. In such cases, we have considered the claim barred by the treaty, unless there was a grant, concession, or order of survey, actually executed prior to that time. The Commissioners did not consider themselves authorized to recognize any act of the Spanish authorities as legal after that period. They have thus investigated such claims, noting the subsequent steps in the column of general remarks.

The original grants upon which some of these claims are founded have not been filed, but only recited in the *mesne* conveyances, by which the deraignment is satisfactorily completed. In a few instances the year only is mentioned, in which the grant was made by the Spanish Government; and in others the name of the Sub-delegate from whom it was obtained. We have in these cases given the date of the oldest *mesne* conveyance.

We have also included in this class, claims, where the original grant has been filed; but there is one or more links in the chain of title found to be absent between the grantee and present claimant.

It was the practice where a grant was made, to deposite the original in the office of Finances to be recorded: and the claimant was given a certified copy. These records were not permitted to remain in this Province, but were all removed to the Havana several years since. Others were destroyed by the pirates, as is in proof before us, on their passage to that place. Some obtained possession of the originals, but others did not; and the above causes combined, are alleged by the claimants as a reason to account for the absence of original title papers. Where the office of Alcade has contained any important document connected with the claims, we have had it submitted to our inspection, or obtained certified extracts therefrom; but except as to the *mesne* conveyances, we regret to say, that we have been enabled to procure very little information from that quarter, as it was not the office in which originals were recorded.

By the regulations of Morales. *mesne* conveyances were made before the Commandants of Posts, who were directed to see, that the seller presented to the buyer the title which he had obtained; and, in addition, being careful to insert in the deed the metes and bounds, and other descriptions which result from the title, and the process verbal of the survey which ought to accompany it. In West Florida, this duty was not only executed by the Governor, but by the Escribanos or Notaries of Government; and under the Constitution by Alcades. On such occasions, these officers were vested with *judicial* powers, and instructed to see that the claim, as to its derivation, was regular and complete. These *mesne* conveyances sometimes recite the date &c. of several of the preceding deeds, and thus set forth the chain of title to the present claimant. The circumstance of the transfer having been made before these officers, is making out a title, the validity of which, has been thus virtually recognized by the Spanish authorities. It is understood to have been both the law and the practice in West Florida, to consider these recitations of prior conveyances as conclusive evidences of title. Whenever it was made out in this shape, no further testimony was required to establish it in any of the Spanish tribunals. The consequence was, that little or no care was taken of the copies of the preceding conveyances, but were often, either permitted to remain in those offices where the transfers were made, or thrown aside as waste and useless paper.

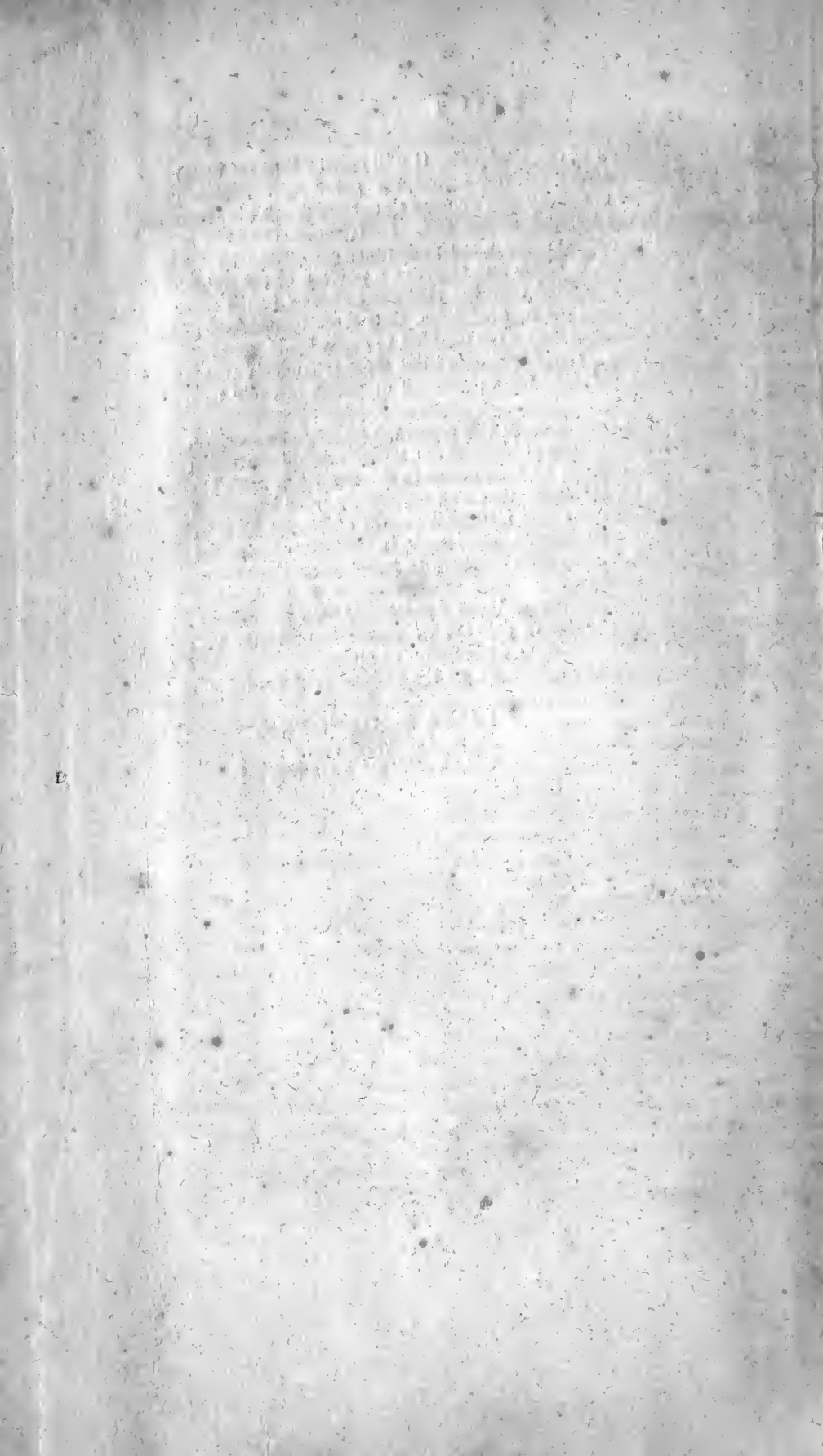
From an examination of our abstracts, it will appear that the usual conditions were occasionally fulfilled before the grant or concession was made, or the order of survey was decreed or executed. This arose from the practice of the Spanish authorities. Individuals who were in poor and indigent circumstances, were sometimes permitted by the Sub-delegate, in writing, to settle and improve a portion of the public domain. Where they complied with the terms prescribed in the permit, or such as were attached to gratuities, they were considered as entitled to a grant whenever they were enabled to apply for it, and pay the incidental expences. These inchoate titles were frequently transferred to others, who obtained the concession or grant in their own names.

In some of the cases embraced in this class, the grant or concession was made for a particular tract of land, or one which might be situated upon the same water course, or contiguous to the first; but upon executing the survey, an incorrect plat and certificate were returned. It will therefore be necessary that Congress should authorize by law, those whose grants or concessions were made in the alternative, the surveys of which were incorrectly returned, to locate them agreeably to the petition or concession.

For a further understanding of these conditional and gratuitous grants, concessions, and orders of survey, we would respectfully refer to our general report upon that description of claims.

All of which is respectfully submitted by the undersigned Commissioners.

SAM'L R. OVERTON,
JOS. M. WHITE.
CRAVEN P. LUCKETT.



THE REPORT OF THE COMMISSIONER OF THE GENERAL LAND OFFICE

FOR THE YEAR 1897

ALBANY, N. Y. 1898

PRINTED BY THE COMMISSIONER OF THE GENERAL LAND OFFICE

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ALBANY, N. Y. 1898

ABSTRACT...Continued.

Number.	BY WHOM CLAIMED.	ORIGINAL GRANTEE.	NATURE OF CLAIM.	DATE OF CLAIM.		NUMBER OF ACRES.	WHERE SITUATED.	BY WHOM ISSUED.	SURVEYED.		CLEARED AND CULTIVATED		GENERAL REMARKS.
				Month.	Year.				WHEN.	BY WHOM.	FROM.	TO.	
51	H. M. Brackenridge & R. K. Call	Jyme Barcelo	Concession	September,	1817	800	St. Rosa's Sound	Governor Masot	4th November, 1817	Pedro Reggio	1817	1822	Confirmed, subject to the restrictions and conditions contained in the grant relative to the defence of Pensacola, and garden lots laid out by the English authorities, upon the original plan of the city. Title papers lost. Confirmed subject to any restrictions or conditions, which the laws and usages of Spain impose, if any, upon grants of land contiguous to forts, &c. Much of this island subject to inundation. This grant was made principally for the purpose of cutting wood. This grant was made to enable the grantees to supply timber for the royal works and fortifications at Barrancas and St. Rosa's. Original title papers lost. Proved to have been cleared and cultivated many years before the concession.
52	Henry M. Brackenridge	Bahia and Samora	do	do	1804	800	do do	Governor Folch	-	-	1804	1814	
53	John Donalson	Joaquin Barcla	do	February,	1799	800	Bayou Grande and Bay	Governor Gayoso de Leemos	4th October, 1812	Vicente S. Pintado	1802	1818	
54	Turner Starke	William M'Voy	do	October,	1816	800	Lagoon Hotpond	Governor Sam. Maxent	-	-	1815	1818	
55	Charles Beeler	Gabriel Hernandez	do	June,	1817	320	Mouth of Escambia	Governor Masot	23d June, 1820	Antonio Balderas	1817	1821	
56	Joseph Y. Cruzat	Joseph Y. Cruzat	do	December,	1817	800	Bay of Perdido	do do	23d December, 1817	Pedro Reggio	1817	1822	
57	Manuel Gonzales	Manuel Gonzales	do	November,	1817	1,600	Fifteen miles from Pensacola	do do	23d December, 1817	do do	1814	1824	
58	Turner Starke	William M'Voy	do	do	1817	1,600	West side of Escambia river	do do	-	-	1817	1818	
59	William P. Anderson	Eugenio Lavalle	do	September,	1817	800	South side Pensacola Bay	do do	17th May, 1818	Pedro Reggio	1817	1821	
60	John Fernandez	John Fernandez	Order of Survey	November,	1816	100	Bayou de la Trucha	Governor Sam. Maxent	16th January, 1818	do do	1815	1824	
61	Paula Rivas	Paula Rivas	Concession	do	1817	28	One mile north west from Pensacola	Governor Masot	28th April, 1821	Antonio Balderas	1817	1819	
62	Jove Couzat & Fran. de Villiers	Jose Cruzat & Fran. de Villiers	do	do	1817	1,600	Clema del Agua	do do	16th June, 1821	do do	1818	1820	
63	Santiago Colman	Santiago Colman	Grant	December,	1811	1,600	River Perdido	Intendant Morales	2d December, 1811	Vicente S. Pintado	1812	1815	
64	John Inzerarity	Charles James	Concession	October,	1817	400	Pensacola Bay	Governor Masot	25th November, 1817	Pedro Reggio	1817	1818	
65	Antonio Molina	Antonio Molina	Grant	do	1817	1,600	Bay of St. Maria de Galves	do do	18th September, 1817	do do	1817	1820	
66	Francisco Toward	Francisco Toward	Concession	September,	1817	800	do do do	do do	15th November, 1817	do do	1817	1823	
67	Thomas P. Ribboo	Vicente F. Texeyro	Order of Survey	October,	1815	800	Bayou Governor	Governor Soto	8th December, 1818	do do	1814	1815	
68	Joseph Bouffay	Joseph Bouffay	Concession	December,	1817	800	Bay of St. Maria d. Galves	Governor Masot	10th January, 1818	do do	1815	1823	
69	Nathan Shackleford	Francisco Moreno	do	October,	1817	800	Two miles from Pensacola	do do	16th December, 1817	do do	1818	1823	
70	Nathan Shackleford	Nicholas Lapez	do	December,	1817	800	West bank River Escambia	do do	27th do 1818	do do	-	1818	
71	Nathan Shackleford	Louis Gagnet	do	do	1817	800	do do do	do do	27th do 1818	do do	-	1818	
72	Luthebury Mason	Francisco Moreno	do	do	1817	800	East bank River Escambia	do do	26th do 1818	do do	-	1819	
73	John Inzerarity	Thomas Miller	Order of Survey	do	1815	800	Bay of Escambia	Governor Soto	5th May, 1817	Vicente S. Pintado	1815	1817	
74	J. acph Phillips' heirs	Manuel Gonzales	Grant	May,	1807	400	Bay of Pensacola	Intendant Morales	11th March, 1807	do do	1807	1816	
75	Francisco M. St. Maxent	Francisco M. St. Maxent	do	March,	1816	800	Casa Blanca on the Bay	Governor Soto	5th January, 1816	do do	1806	1816	
76	Roland Clapp	Maria Machado	do	November,	1817	84	South of Old Fort St. Bernard	Governor Masot	12th June, 1821	Antonio Balderas	1817	-	
77	John Bronsaham	John Bronsaham	do	do	1817	2,320	An island in the Escambia river	do do	9th & 10th July, 1817	Pedro Reggio	1817	1821	
78	Lorenzo Virrian	Lorenzo Virrian	Concession	do	1816	1,169	Bayou Texar	Governor S. Maxent	9th August, 1816	Vicente S. Pintado	1816	-	
79	Joaquin Barcla	Joaquin Barcla	do	January,	1804	50 front 20 dp.	Grand Lagoon	Governor Folch	-	-	-	-	
80	Joseph Maurs	Nero, free man of color	do	do	1804	800	West of Bayou Texar	do do	20th February, 1821	Antonio Balderas	-	-	

All which is respectfully submitted.

SAMUEL R. OVEYTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

B.

WRITTEN PERMITS OF SETTLEMENT.

These claims are founded upon *written permits*, obtained from the Governors of Florida, which secured to the petitioner the undisturbed occupation of the land, for the purposes of grazing and cultivation. It was an indulgence extended by the Spanish Government to indigent persons, who were unable to bear the expenses incident to a concession or complete title, and to foreigners, who avowed an intention to become resident subjects. By the decree of the 22d November, 1806, strangers and foreigners could only obtain a grant after long residence in the country, which was in entire conformity with the policy of Spain in all her American provinces. During this state of protection they occupied the land; and, after being put into possession, it is understood that they never were deprived of it, where they performed the usual conditions. The permits in both of these cases were followed by a concession, whenever the means and conveniences of the parties authorized them to make the application. Their right to it was considered by the Spanish authorities as incontestible. In the eye of the Spanish law, these inchoate titles were viewed as property; they descended by inheritance, and were transferred from one another by private contract.

This species of claim is distinguished from a concession, in this, that in the latter it was uniformly the practice to order the surveyor to run out the land either before or after the grant, and put the party in possession. In the case of *written permits of settlement*, no such formality was used; the petitioner was, in the first instance, simply authorized to occupy, cultivate, and pasture, a particular tract of land, without molestation.

The Commissioners are of opinion that these claims are valid, where the conditions usually attached to gratuitous grants have been performed by the claimants prior to the 24th January, 1818; or since that time, if entitled to the indulgence contained in the 8th article of the treaty. It is believed that they constitute the most *equitable* titles in Florida. No fraud can attach to them; they are in conformity with the policy of the Spanish government, in the settlement and cultivation of her domain, and have always been recognized by her authorities as entitled to complete grants. The Board of Commissioners west of Pearl river reported in favor of claims of this description; and, in the 2d section of the act passed on the 2d March, 1805, for ascertaining and adjusting the titles and claims to lands within the territory of Orleans and District of Louisiana; and the 2d section of an act confirming claims to lots in the town of Mobile, &c., passed 7th May, 1822, provision was made for their confirmation.

The 1st article of Morales' regulations provides, that the quantity to be granted, where a *gratuitous* concession is made, shall amount to a number of arpens as large as the petitioner shall be judged capable to cultivate, according to the number of his family, and the number of

beasts to be pastured. In some cases before us the quantity thus appropriated is stated in the permit, in others no such provision is to be found. It has, however, been usual to grant such claimants 800 arpens, which is a limit fixed by the regulations of Morales, and not to be exceeded in gratuitous concessions, unless the number of the petitioner's family, his beasts to be pastured, and his ability for cultivation, recommend a departure from the common rule. In the cases before us there is no proof to bring them within the reason of the exception, and they cannot, consequently, be entitled to more than 800 arpens, laid off in the usual form.

All of which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOS. M. WHITE,
CRAVEN P. LUCKETT.

in Robert, Abbott, W. H. and I. C.

Date	Description	Debit	Credit	Balance
1891	Jan 1			
	Feb 1			
	Mar 1			
	Apr 1			
	May 1			
	Jun 1			
	Jul 1			
	Aug 1			
	Sep 1			
	Oct 1			
	Nov 1			
	Dec 1			
	Total			

An Abstract of Claims to Land in West Florida, founded on written permits of settlement, given by the Spanish Government, and which have been confirmed by the undersigned Commissioners.

Number.	BY WHOM CLAIMED.	ORIGINAL CLAIMANTS.	NATURE OF CLAIM.	DATE OF CLAIM.		NUMBER OF ADENTS	WHERE SITUATED.	BY WHOM GIVEN.	SURVEYED.		CLEARED AND CULTIVATED.		GENERAL REMARKS.
				Month	Year				When.	By whom.	From.	To.	
1	Charles de Villiers	Dalmacio Salas	Written permit	August,	1802	800	3 miles from Pensacola	Governor Vicente Folch	16th September, 1819	Antonio Balders	1810	1813	As this claim is now in suit between Call and Innerarity, both holding under Limbaugh, we have considered it most advisable to confirm the claim of Limbaugh as valid against the United States, leaving the private controversy to be decided by the judicial tribunal before which it is now pending. Confirmed subject to any restrictions or conditions which the laws and usages of Spain impose, if any, upon grants and lands contiguous to forts, &c.
2	Fern in de Villiers	Jose O. Neil	do do	August,	1802	800	Cornalillo de la Cosa	do do do	16th June, 1821	do do	1804	1811	
3	John Edgely and Edward Towns	John Edgely and Edward Towns	do do	do	1807	1,600	Escambia River	do Joseph Masot	23d October, 1820	do do	1817	1824	
4	Antonio Colein	Antonio Colein	do do	April,	1807	800	Clear Water	do Folch	28th May, 1821	do do	1809	1814	
5	Parobe Pybuen Turvin	Jeptha Turvin	do do	February,	1801	1,600	At the head of Indian creek	do Folch	" "	do do	1801	1817	
6	Francisco Colein	Francisco Colein	do do	July, 1812,	1812	800	Seven mile creek	do Zuniga	1st June, 1821	do do	1812	1824	
7	Josefa Pol	Josefa Pol	do do	June,	1812	800	Perdido river	do do	" "	" "	1812	1816	
8	Littlehery Mason	Thomas Beeler	do do	do	1817	800	Escambia river	do Jose Masot	" "	" "	1817	1822	
9	Henrory Potts	Charles Beeler	do do	do	1817	800	Do. do.	do do	" "	" "	1817	1821	
10	Richard K. Call	Christian Limbaugh	do do	November,	1817	800	On the Bay of Escambia	St. Maxent	4th December, 1816	Vincent S. Pintado	1817	1819	
11	John Innerarity	do	do do	do	1817	800	do	do	do	do	do	do	
11	Joseph C. Kyser	Maria Morem	Written permit	February,	1817	3	Near Fort St. Bernard	do Jose Masot	6th February, 1821	Antonio Balders	1817	1819	

All which is respectfully submitted.

SAMUEL L. OVERTON,
JOSEPH W. WHITE,
CRAVEN P. LUCKETT.

STATE OF NEW YORK

IN SENATE	
January 1, 1880	
REPORT	
OF THE	
COMMISSIONERS OF THE LAND OFFICE	
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE	
APRIL 1, 1879	
ALBANY:	
WILLIAM H. SAWYER, PRINTER.	



C.

This class of claims is founded on sales made by the Governors of Florida in conformity with the regulations of Morales, at the "price of estimation," and by the Constitutional Ayuntamiento, by virtue of a provision of the Constitution of Spain, and a decree of the Cortes promulgated in the year 1812. The last mentioned claims, like *gratuities*, were subject to the revision of the superior authorities, and demonstrates a regular chain of responsibility in every change of the Spanish Government, from the subordinate tribunals to the sovereign. All the acts of the Cabildo were to be submitted to the Provisional Junta of Havanna. As these claims are for small quantities of land, and the purchasers having paid a valuable consideration for the same, combined with the uninterrupted possession for many years, the undersigned Commissioners are of opinion that they are valid, and would have been completed under the Spanish Government upon the application of the vendees; they have, therefore, given them confirmation.

All of which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOS M. WHITE,
CRAVEN P. LUCKETT.

E.

THE STATE OF NEW YORK

COUNTY OF	TOWN OF	SECTION

AN ABSTRACT of Claims to Land in West Florida, founded upon sales made by the Spanish Government, and which have been confirmed by the undersigned Commissioners.

NUMBER.	BY WHOM CLAIMED.	ORIGINAL VENDEE.	NATURE OF CLAIM.	DATE OF CLAIM.		NUMBER OF ACRES.	WHERE SITUATED.	BY WHOM ISSUED.	SUITED.		GENERAL REMARKS.
				Month.	Year.				When.	By whom.	
1	Joseph Noriega	Domingo Hernandez	Sale	March,	1813	800	Bay of Escambia	Cabildo	21st June, 1814	Vicente S. Pintado	The largest number of these sales were made by the Constitutional Ayuntamientos, or Cabildo, established in West Florida, under a provision of the Spanish Constitution, and a decree of the Cortes in 1812.
2	Joseph Noriega	Martin de Madrid	do	March,	1813	800	do	do	21st June, 1814	do	
3	Mariana Bonifay	Francisco Toward	do	March,	1813	800	do	do	14th June, 1814	do	
4	Manuel Bonifay	Bernardo Prieto	do	March,	1813	723	do	do	23d June, 1812	do	
5	Millan de la Carrera	Mariano Latady	do	March,	1813	1,600	River Escambia	do	3d March, 1814	do	
6	Joseph Antonio Miralla	Vicente F. Texeiro	do	March,	1813	800	Bayou Texar	do	3d March, 1814	do	
7	Juan Inzerarity	Ygnacio Serra	do	May,	1815	735	Perdido river	Governor Jose de Solo	20th May, 1815	do	
8	John Donaldson	Pedro Reggio	do	February,	1816	53 1-10	Adjoining Pensacola W.	do	26th February, 1816	do	
9	Thomas English	Millan de la Carrera	do	March,	1816	800	Perdido River	do	7th November, 1815	do	
10	Pedro Philbert	Pedro Philbert	do	March,	1816	800	North of Bayou Mulato	do	12th December, 1814	do	
11	Pedro Alba, sen.	Pedro Alba, sen.	do	March,	1816	2 1/2	West of the Spring Road	do	26th December, 1817	Pedro Reggio	

All which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
GRAVEN P. LUCKETT.

AN INQUIRY INTO THE CAUSES OF THE
FLOODING OF THE RIVER ST. LAWRENCE

By J. H. COLEMAN, Esq., of the
Bar at Quebec.

QUEBEC: PUBLISHED BY J. H. COLEMAN, Esq., of the
Bar at Quebec. 1854.

Price 25 CENTS.

By J. H. COLEMAN, Esq., of the
Bar at Quebec.

QUEBEC: PUBLISHED BY J. H. COLEMAN, Esq., of the
Bar at Quebec. 1854.

Price 25 CENTS.

D.

This class of claims like the preceding ones, has been examined agreeable to three separate acts of Congress upon the subject, the provisions of which have been carefully observed. The Spanish grants purport to have been made upon the conditions, that the claimants, "enclose the same and build a common house thereon in one year," and subject to payment therefor, should his Catholic Majesty require it, as also to conform to police regulations. Sometimes a house of a particular description was to erected on the lot, and in the event of failure to comply with the condition, the grant or concession might be declared null and void. Some are founded upon British grants for lots, afterwards sold to Spanish subjects, within the time prescribed in the capitulation of 1781, the treaty of 1783, between England and Spain, and as extended in a subsequent royal order. These British grants were made upon conditions precedent, similar to those which emanated from the Spanish authorities. In some instances the original British proprietors never removed from West Florida, but continued in the occupation and enjoyment of their property as Spanish subjects for many years, and ultimately either sold it, or transferred it to their descendants.

The Commissioners were not in the first instance, entirely satisfied as to the legality of these grants; as the 34th article of Morale's regulations provides, that "all lots or seats belonging to the domain," shall be sold for ready money." There has been no authority exhibited to us, shewing the right or power vested in the sub-delegates to make *gratuitous* concessions of lots, as in the case of lands in the country. The claimants, however, made out a right to them by satisfactory evidence; they proved that such grants corresponded with the uniform practice of the Spanish authorities, and were by them recognized to be valid.

These grants emanated from his Catholic Majesty, or his lawful authorities in West Florida, prior to the 24th January, 1818. The claimants proved a substantial compliance with the conditions, within the period limited in their grants, or where further indulgence was given by the subdelegate, within the time specified, or that they had made an actual settlement upon the lot before the cession of Florida to the United States, and fulfilled the conditions of their grants.

In some cases, the original grantee presented the claim: where it had fallen into the hands of third persons, the deraignment was set forth in original and mesne conveyances, and their recitations, and extracts from the protocols of the alcade for ten years previous to the cession, under the last act of Congress, and in the two preceding ones, up to the original grantee, unless proof was adduced that it could not be obtained. Upon the exhibition of testimony showing that the originals had been lost or destroyed by time or accident, the mesne conveyances were considered the best evidence, and sufficient, united with the occupation of the property, to demonstrate, that the Spanish authorities recognized the titles. This rule was observed

G.

even where the chain of title was defective. In such cases where the original is filed, or its date recited in the mesne conveyances, it is given in our abstract; but in the absence of these, we have set down the date of the deed to the next oldest grantee. The absence of title papers in this class of claims, is accounted for as in that marked E.

From our abstracts it will appear, that in some instances, the conditions were performed before the grant was made. This was the result of the party having obtained either a written or a verbal permit to occupy and improve the lot, which gave her or him a right to a grant, whenever he or she was enabled to apply and pay for it. These inchoate rights were sometimes sold to others, who became the original grantees.

All of which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

Original document located on original grant and enclosing the same.

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some minor discoloration and dark smudges or stains, particularly near the bottom center and right edge. The left edge of the page shows the binding of the book, with some visible stitching or glue. The overall tone is warm and slightly yellowed, characteristic of old paper.

AN ABSTRACT OF CHINESE

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This class of claims is founded on acts of sale, or mesne conveyances, to the present claimants. They have been unable to make out the deraignment to the original grantee: but, in consequence of the transfer having been made before the Spanish tribunals, there is every reason to believe that there have been original grants for the same, which the parties concerned alleged were destroyed by time or accident.

The examination of the cases belonging to this class has been made under the several acts of Congress passed on the 8th May, 1822, February 27th, 1823, and 28th February, 1824, and there has been a uniform adherence to their several requisitions. The claimants adduced testimony which proved, that they had built upon and enclosed their lots prior to the cession of the Floridas to the United States, and fulfilled the usual conditions, or where they had been prevented by the causes enumerated in the treaty, it was in evidence that they completed them after the date of that instrument. Their individual right to the lots, and that it had been so recognized by the Spanish authorities, were considered as clearly established by the claimants. The 7th article of Morales' regulations provides that the commandants of posts shall not take any acknowledgment of the conveyance of land or lots, unless the seller present, and deliver to the buyer, the title which he has obtained, and, in addition, being careful to insert in the deed the metes and bounds, and other descriptions which result from the title, and the process verbal of the survey, which ought to accompany it. In West Florida, it appears from the title papers of the claimants, that these transfers were made at different periods before the Governor or Subdelegates, Escribanos or Notaries of Government and Alcades. By the laws and usages of Spain, all these officers exercised *judicial* powers on such occasions, and they were required to see that the origin and derivation of the claims were regular and legitimate. The circumstance of their having passed through these tribunals, is to be considered as a notarial act, and is, of itself, a virtual recognition of the title by the authorities of Spain. It likewise created a presumption that the conditions had been fulfilled, as the regulations of Morales forbid a transfer under any other circumstances. Where the deraignment then is defective, we are bound to infer, that all the necessary evidences of titles were presented to these offices, either in a written or verbal form, before the title was passed, or the conveyance permitted to be placed upon record.

These mesne conveyances, which conveyed the property from one person to another, were recorded in the Government Office, the papers of which, after the cession, were transferred to that of the Alcade. In some cases title papers of this description are absent and which has been alleged to have been the result of time and accident. These mesne conveyances recite some of the preceding ones, and thus set forth partially the deraignment to the original grantee. It is understood to have been both the law and the practice in West Florida.

da, to consider these recitations as conclusive, and the claimants threw away the preceding conveyance, after the transfer before the proper officer, and the deed was spread upon the record. Where the originals were accidentally lost or destroyed, these were the best evidences of which the case was susceptible. As far as the chain of title was completed in this shape, the same was believed consummated; it was exempt from controversy or interruption, and no further evidence was ever required to establish its validity in the Spanish tribunals.

From these considerations, the Commissioners are constrained to entertain the opinion, that these claims are valid agreeably to the laws and ordinances of Spain, and have therefore given them confirmation.

All of which is respectfully submitted by the undersigned Commissioners,

SAMUEL R. OVERTON,
JOSEPH M. WHITE.
CRAVEN P. LUCKETT.



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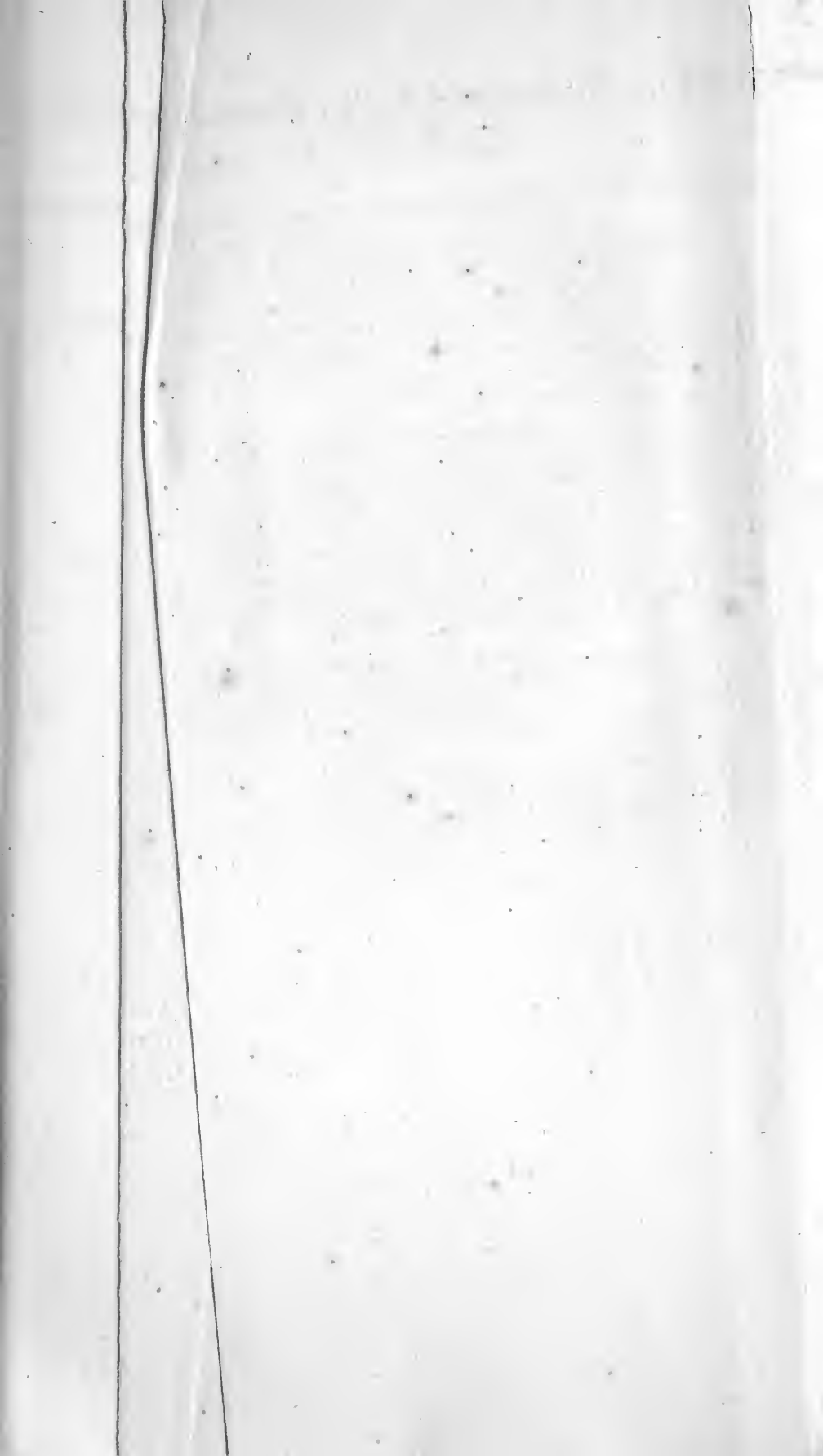
The sales, it is understood, were made in conformity with the provision of the 34th article of Morales' Regulations, which requires all lots or seats belonging to the royal domain, to be sold for ready money, with the formalities prescribed for the sale of lands. Such dispositions of public property were always made in obedience to a decree of the Board of Royal Treasury, which was composed of the Subdelegate or Intendant, the Fiscal, or King's Attorney, and the Auditor of War, with an Escribano or Notary, by whom these proceedings were countersigned and recorded.

In most cases the deraignment is completed by the papers filed, and certified extracts from the archives now remaining in this territory. Where the chain of title is incomplete, the claimants adduced proof to shew that their written evidences of title, constituting the absent links, could not be obtained in consequence of their being lost or destroyed by time or accidents, as explained in our preceding reports. This, with the possession of the property, and the recognition of the titles by the Spanish authorities, was believed to be the best evidence, and, in the opinion of the Commissioners, authorized their confirmation.

Where the original title was filed, or its date recited in the mesne conveyance, we have inserted it in our abstracts; otherwise we have given the date of the deed to the next oldest grantee.

All of which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.
CRAVEN P. LUCKETT.

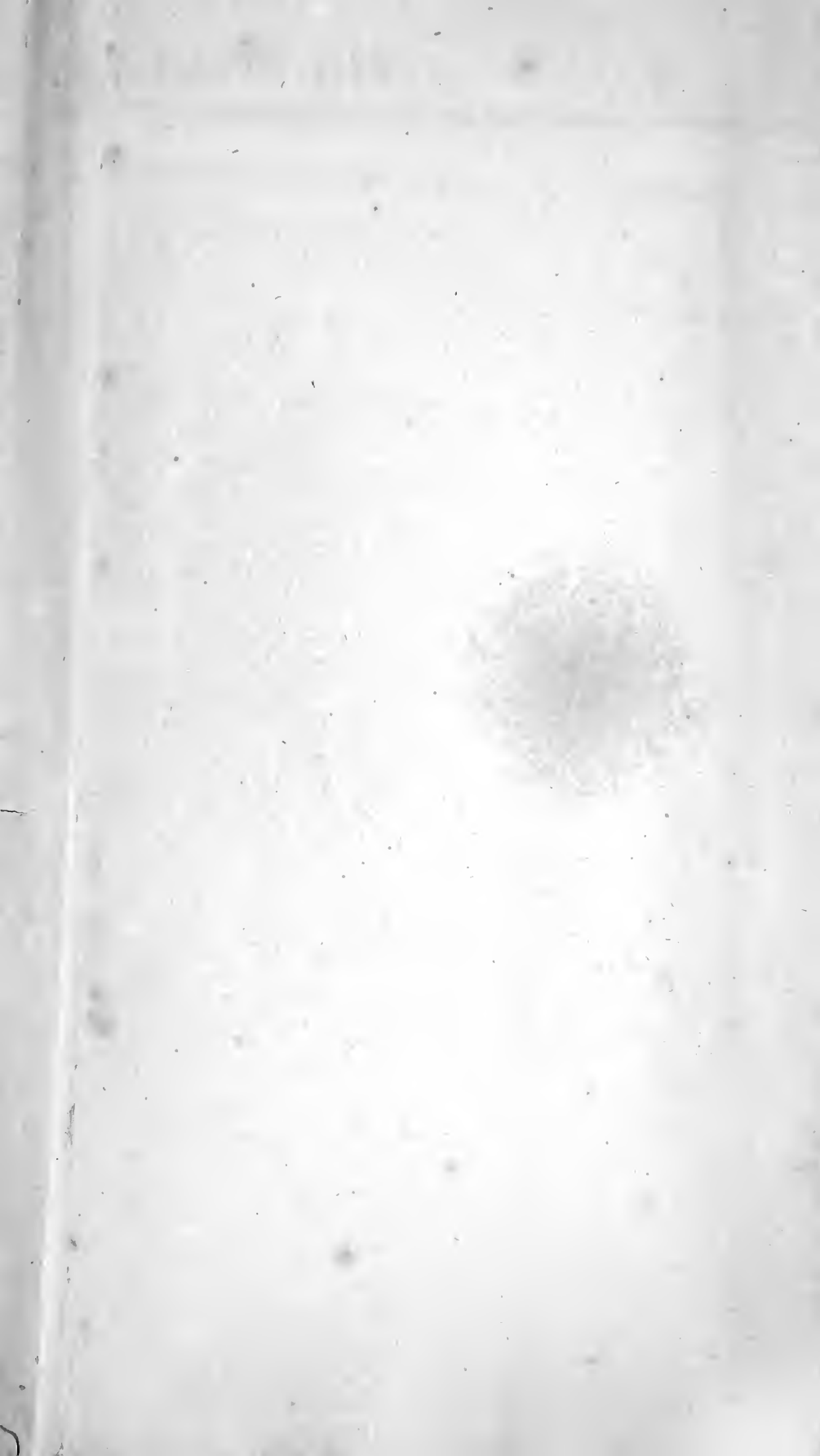


An Abstract of Claims to Lots in Pensacola, founded upon sales at Auction, by the Spanish Government, and which have been confirmed by the undersigned Commissioners.

Number.	BY WHOM CLAIMED.	ORIGINAL VENUE.	NATURE OF CLAIM.	DATE OF CLAIM.		NUMBER.	DIMENSIONS OF LOT.	BY WHOM SOLD.	SURVEYED.		GENERAL REMARKS.
				Month.	Year.				WHEN.	BY WHOM.	
1	Pedro de Alba	Pedro de Alba	Sale	July,	1804	3	80 feet front by 170 feet in depth	Governor Felch			
2	Miguel Quigles	Francisco G. de Arroyo	do	do	1804	117	80 do 170 do	do			
3	Mariana Bonifay	Mariana Bonifay	do	do	1804	184	80 do 170 do	do			
4	do	do	do	do	1804	165	80 do 170 do	do			
5	Diego Salazar	Joaquin de Osorno	do	do	1804	123	80 do 170 do	do			
6	Delcide Pallasco	Milan de la Carrera	do	June,	1804	73	40 do 170 do	do			
7	Maria F. Gomez	do	do	do	1804	73	40 do 170 do	do			
8	Arnauldo Guillemard	Joaquin Barela	do	July,	1804	116	40 do 170 do	do			
9	Francisco Lopez	do	do	do	1804	116	40 do 170 do	do			
10	William Barnett	Antonio Montero	do	do	1804	51	80 do 170 do	do			
11	Salvador Ruby	Salvador Ruby	do	do	1804	72	80 do 170 do	do			
12	do	do	do	do	1804	124	80 do 170 do	do			
13	Beltram Souchet	Antonio Montero	do	do	1804	211	80 do 170 do	do			
14	do	do	do	do	1804	212	80 do 170 do	do			
15	Jose Ortiz	Pedro de Alba	do	do	1804	6	80 do 170 do	do			
16	Francisco Tonard	Francisco Tonard	do	do	1804	112	52 do 80 do	do			
17	Juan Malagosa	Eugenio Antonio Sierra	do	do	1804	111	80 do 80 do	do			
18	Luis Maestre	Francisco Simon	do	do	1804	114	80 do 170 do	do			
19	John H. Howard	Vicente Crespo	do	do	1804	6 double	83 do 250 do	do			
20	Wm. P. Anderson	Joaquin Osorno	do	do	1804	25	80 do 170 do	do			
21	Joseph Bonifay	Miguel Morales	do	June,	1814	167	80 do 170 do	do			
22	James Simpson	Pedro Gordillo	do	do	1804	130	80 do 170 do	do			
23	Joseph Bonifay	Rafael Ramos	do	do	1804	168	80 do 170 do	do			
24	John Hronsham	Milan de la Carrera	do	do	1804	68	80 do 170 do	do			
25	Vicente Crespo	Vicente Crespo	do	do	1804	140	80 do 170 do	do			
26	John R. Fenwick	Francisco Hodkin	do	do	1804	77	80 do 170 do	do			
27	Manuel Bonifay	Mariana Bonifay	do	July,	1804	165	40 do 170 do	do			
28	Marcos de Villers	Marcos de Villers	do	August,	1804	245	166 front by 343, 56 by 358. ft 6 in.	do	14th November, 1810	Vicente S. Pintado	
29	John Donalson	Joseph Noriega	do	February,	1810	87	86 feet front by 78 feet in depth	Intendant Morales	24th January, 1810	do	
30	do	do	do	do	1810	88	78 do 171 2 inches	do	do	do	

All which is respectfully submitted.

SAMUEL L. OVERTON,
JOSEPH W. WHITE,
CRAVEN P. LUCKETT.



ABSTRACT--Continued.

NUMBER.	BY WHOM CLAIMED.	ORIGINAL GRANTEE.	NATURE OF CLAIM.	DATE OF CLAIM.		NUMBER.	DIMENSIONS OF LOT.	BY WHOM SOLD.	SURVEYED.		GENERAL REMARKS.
				Month.	Year.				When.	By whom.	
31	Eugenio A. Sierra	Eugenio A. Sierra	Certificate of sale	3d	January, 1818	307	80 feet front by 170 feet deep	Governor Masot			Sold at public auction on the 19th December, 1817.
32	Henry Michelet	Henry Michelet	do	3d	January, 1818	99	do do 170 do	do			
33	James Gooch	James Gooch	do	1st	January, 1818	3	An arpen lot	do			
34	do	do	do	1st	January, 1818	63	do do	do			
35	do	do	do	1st	January, 1818	64	do do	do			15th December, 1817.
36	Daniel Ripley	Daniel Ripley	do	3d	January, 1818	82	do do	do			15th December, 1817.
37	do	do	do	3d	January, 1818	83	do do	do			15th December, 1817.
38	John Labbeaux	John Labbeaux	do	4th	January, 1818	102	80 feet front by 170 do	do			19th December, 1817.
39	Santiago Colman	Santiago Colman	Grant	20th	January, 1807	45	do do 201 do	Intendant Morales	19th January, 1807	Vincente S. Pintado	
40	Francisco Bonal	Francisco Bonal	Certificate of sale	12th	August, 1813	37	Arpen lot	By the Cabildo			
41	Eugenio A. Sierra	Joaquin Barcla	Mesne conveyance	5th	January, 1815	257	80 feet front by 170 do	do			
42	do	do	do	5th	January, 1815	265	80 do 170 do	do			31st January, 1813.
43	do	Eugenio A. Sierra	do	31st	Dec. 1813	567	80 do 170 do	do			
44	Joseph Tapiola	Joseph Tapiola	Certificate of sale	9th	June, 1813	29	Arpen lot	do	5th December, 1817	Pedro Reggio	
45	Lorenzo Bru	Lorenzo Bru	Deed from the Cabildo	23d	Dec. 1813	358	80 feet front by 170 do	do			
46	M. Hanna & widow M'Pherson	Antonio Colein	do	30th	Dec. 1813	368	80 do 170 do	do			
47	do	Francisco Barrios	Mesne conveyance	18th	Feb. 1814	399	80 do 170 do	do			31st December, 1815.
48	Adelaide Maroteau	Adelaide Maroteau	Certificate of sale	19th	August, 1812	22	Arpen lot	do	11th January, 1814	Vincente S. Pintado	
49	do	do	do	19th	August, 1812	23	do	do	11th January, 1814	Vincente S. Pintado	
50	do	do	do	19th	August, 1812	25	do	do	11th January, 1814	Vincente S. Pintado	
51	Milian de la Carrera	Antonio Montero	do	21st	June, 1813	2	do	do			
52	do	do	do	21st	June, 1813	12	do	do			
53	do	do	do	21st	June, 1813	60	do	do			
54	do	do	do	21st	June, 1813	61	do	do			
55	do	do	do	21st	June, 1813	62	do	do			
56	John Donaldson	Fernandez Texeiro	Deed from the Cabildo	9th	June, 1813	310	80 feet front by 170 do	do	14th June, 1813	Vincente S. Pintado	
57	do	do	do	9th	June, 1813	311	80 do 170 do	do	14th June, 1813	Vincente S. Pintado	
58	do	Antonio Montero	Certificate of sale	18th	June, 1813	5	Arpen lot	do			
59	do	do	do	18th	June, 1813	6	do	do			
60	do	do	Deed from the Cabildo	22d	June, 1813	364	80 feet front by 170 do	do			
61	do	do	Certificate of sale	18th	June, 1813	4	Arpen lot	do			
62	do	do	do	18th	June, 1813	16	do	do			
63	do	do	do	18th	June, 1813	17	do	do			
64	do	do	do	19th	June, 1813	7	do	do			
65	do	do	do	19th	June, 1813	8	do	do			
66	do	do	do	19th	June, 1813	14	do	do			
67	do	do	do	19th	June, 1813	13	do	do			
68	do	do	do	21st	June, 1813	14	do	do			
69	M. de Vellon	Stephen Adam	do	4th	June, 1813	52	do	do			
70	Valerio Pelt	Carlos Sierra	Mesne conveyance	7th	July, 1814	246	40 feet front by 170 do	do			in the year 1813 or 14.
71	Vigual Constant	do	Certificate of sale	4th	June, 1814	31	Arpen lot	do			
72	Mariana Bonifay	Rosalia Bonifay	Deed from the Cabildo	30th	Dec. 1813	366	80 feet front by 170 do	do			
73	Manuel Gonzales	Manuel Gonzales	do	30th	Dec. 1813	359	80 do 170 do	do			
74	John Invernary	Carlos Grand Pre	Mesne conveyance	3d	ay. 1817	361	80 do 170 do	do			22d December, 1813.
75	do	do	Certificate of sale	23d	June, 1813	40	82 do 170 do	do			
76	Henry Michelet	Diego Palmes	Sale by the Cabildo	23d	June, 1813	40	do do 170 do	do			in the year 1813.
77	John Invernary	Carlos Sierra	Mesne conveyance	29th	Aug. 1817	352	80 do 170 do	do			9th June, 1813.
78	Harvey Elkins	Carlos Barro	do	19th	ay. 1813	38	Arpen lot	do			24th December, 1817.
79	Lawrence Wood	Lawrence Wood	Certificate of sale	24th	Dec. 1817	88	do	Governor Masot			

All of which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH W. WHITE.



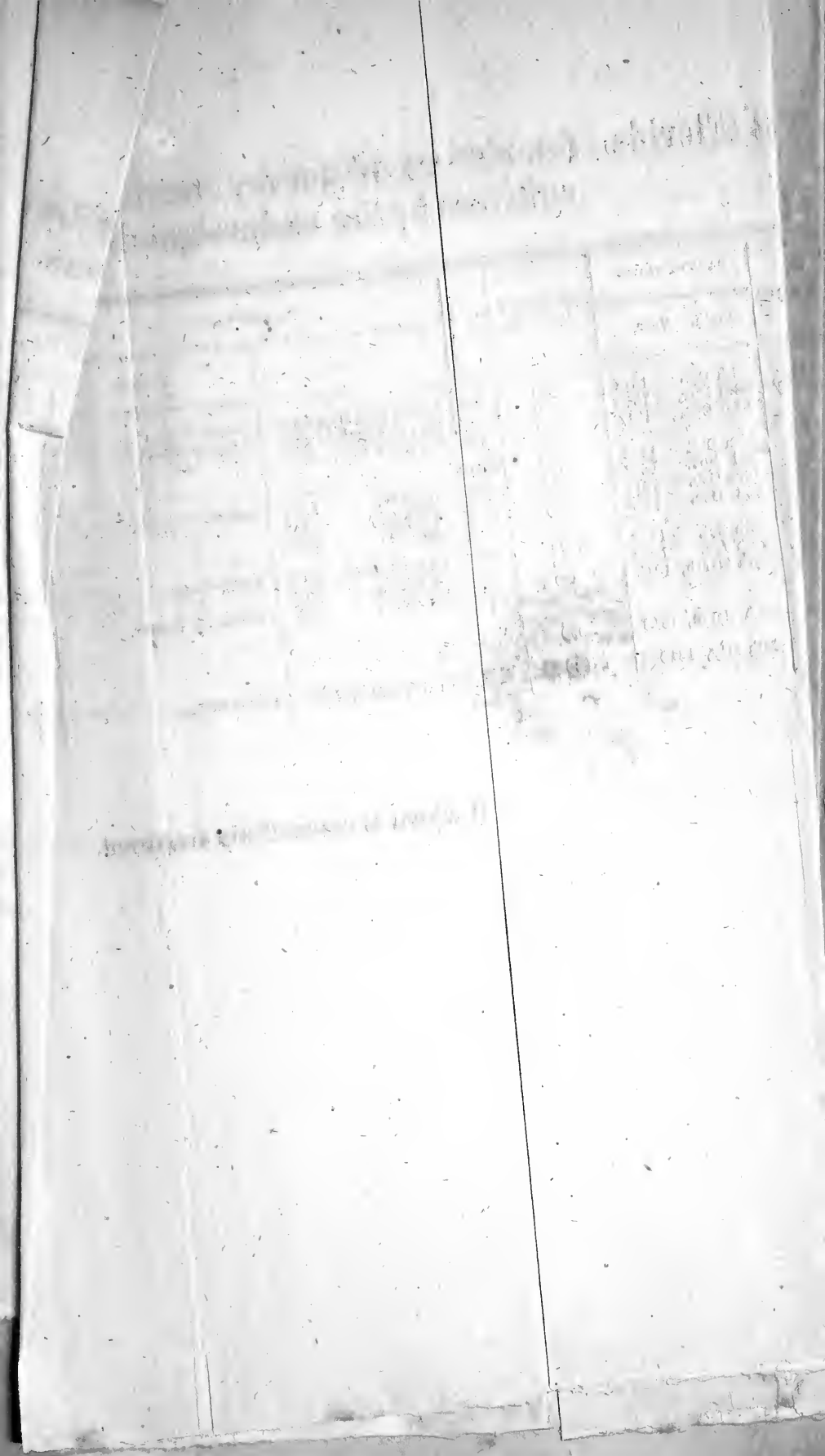
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These claims have been rejected by the undersigned Commissioners for various considerations. Some were believed to be antedated and fraudulent; and others contrary to the laws and ordinances of Spain. The claimants, in some instances, failed to fulfil, substantially, the conditions of their grants within the period required by the regulations of Morales, and were unable to show that they were entitled to the additional indulgence contained in the 8th article of the treaty between Spain and the United States. Where the party was proven to be entitled to this indulgence, there was no evidence adduced to prove that he or she had availed themselves of it. In other cases, it appeared that the claims had not emanated from his Catholic Majesty, or his lawful authorities in West Florida, prior to the 24th January, 1818, or that the order of survey had not been actually executed anterior to that period. The claimants did not make out such a title as would have been valid under the treaty, and acts of Congress, or the laws and ordinances of Spain.

All of which is respectfully submitted, by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

R.



G.

AN ABSTRACT of Claims to Land in West Florida, founded on Grants, Concessions, and Orders of survey, made gratuitously by the Spanish Government, upon the condition of clearing and cultivation, and which have been rejected by the undersigned Commissioners.

NUMBER.	BY WHOM CLAIMED.	ORIGINAL GRANTEE.	NATURE OF CLAIM.	DATE OF CLAIM.		NUMBER OF ARRENTS.	WHERE SITUATED.	BY WHOM ISSUED.	SURVEYED.		CLEARED AND CULTIVATED.		REMARKS.
				Month.	Year.				When.	By whom.	From.	To.	
1	Beltran Souchet - - -	Beltran Souchet - - -	Concession	8th Oct.	1817	800	Bayon Mulatto - - -	Governor Jose Masot - -	17th & 18th May, 1818	Pedro Reggio - - -	1818	- - -	Kelkel, who made the improvements denies having done so, as the agent of Souchet, and claims the land under the donation act. he improved under the donation act.
2	Augustin Lavisson - - -	Augustin Lavisson - - -	Order of survey	28th May,	1818	800	do - - -	Intendant Ramirez - - -	12th September, 1819	Antonio Balderas - - -	1819	1821	
3	Carlos Baron - - -	Carlos Baron - - -	Concession	18th Dec.	1817	800	Escambia River - - -	Governor Jose de Masot - -	5th & 6th July, 1820	do - - -	1818	1820	
4	Francisco Vidal - - -	Francisco Vidal - - -	do	18th Oct.	1817	800	Island of St. Rosa - - -	do - - -	- - -	- - -	1818	- - -	Evidence of improvement contradicted by Antonia Colein. Alba purchased of Garriga, 4th August, 1820, long after the improvements are proved to have been made. In this claim a letter was exhibited and proved, in which the claimant himself acknowledges, that he had no title to this tract in 1820. John Gayler, who made the improvements, proves that he done so by permission of the Spanish authorities, and not as the tenant of Alba, and claims the land under the donation act.
5	Peter Alba, sen. - - -	Joseph Garriga - - -	do	22d Nov.	1817	800	Pine Barren Creek - - -	do - - -	15th July, 1820	Antonio Balderas - - -	1817	1818	
6	Peter Alba, sen. - - -	Pedro Alba, sen. - - -	do	10th Dec.	1817	800	Escambia River - - -	do - - -	13th April, 1820	do - - -	1820	- - -	
7	Peter Alba, sen. - - -	Manuel Maura - - -	do	22d Dec.	1817	800	Pine Barren Creek - - -	do - - -	16th July, 1820	do - - -	1817	1822	No evidence of cultivation in this case. No evidence of cultivation in this case. Mr. Vicente S. Pintado, surveyor general of West Florida, gives a copy of the plot and certificate of survey, dated Havana, 29th December, 1818, reciting, that he executed the survey on the 29th April, 1818, in obedience to the order of the Intendant of Cuba, Alexander Ramirez. On the 10th March, 1818, Vicente S. Pintado, surveyor general of West Florida, gave at Havana a plot and description of the land to be granted; but it does not appear to have ever been surveyed. No evidence produced in this case.
8	Cirilo de Morant - - -	Cirilo de Morant - - -	do	8th Oct.	1817	1,600	12½ miles N. W. of Pensacola - - -	do - - -	1st & 2d March, 1818	Pedro Reggio - - -	1821	- - -	
9	Cirilo de Morant - - -	Desiderio Guina - - -	do	20th Jan.	1818	800	11 miles N. W. of Pensacola - - -	do - - -	3d March, 1818	do - - -	1821	- - -	
10	William King - - -	Ramon Vialta - - -	Order of survey	9th March,	1818	800	Near the town of Pensacola - - -	Intendant Ramirez - - -	29th April, 1818	Vicente S. Pintado - - -	1818	- - -	On the 10th March, 1818, Vicente S. Pintado, surveyor general of West Florida, gave at Havana a plot and description of the land to be granted; but it does not appear to have ever been surveyed. No evidence produced in this case.
11	Joseph E. Canovas - - -	Joseph C. Canovas - - -	do	9th March,	1818	800	On the eastern side of Perdido - - -	do - - -	- - -	- - -	- - -	- - -	
12	Juan Ximenes - - -	Juan Ximenes - - -	do	25th May,	1818	800	West of Bayou Texas - - -	do - - -	27th November, 1818	Pedro Reggio - - -	- - -	- - -	

All which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.

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AN ABSTRACT

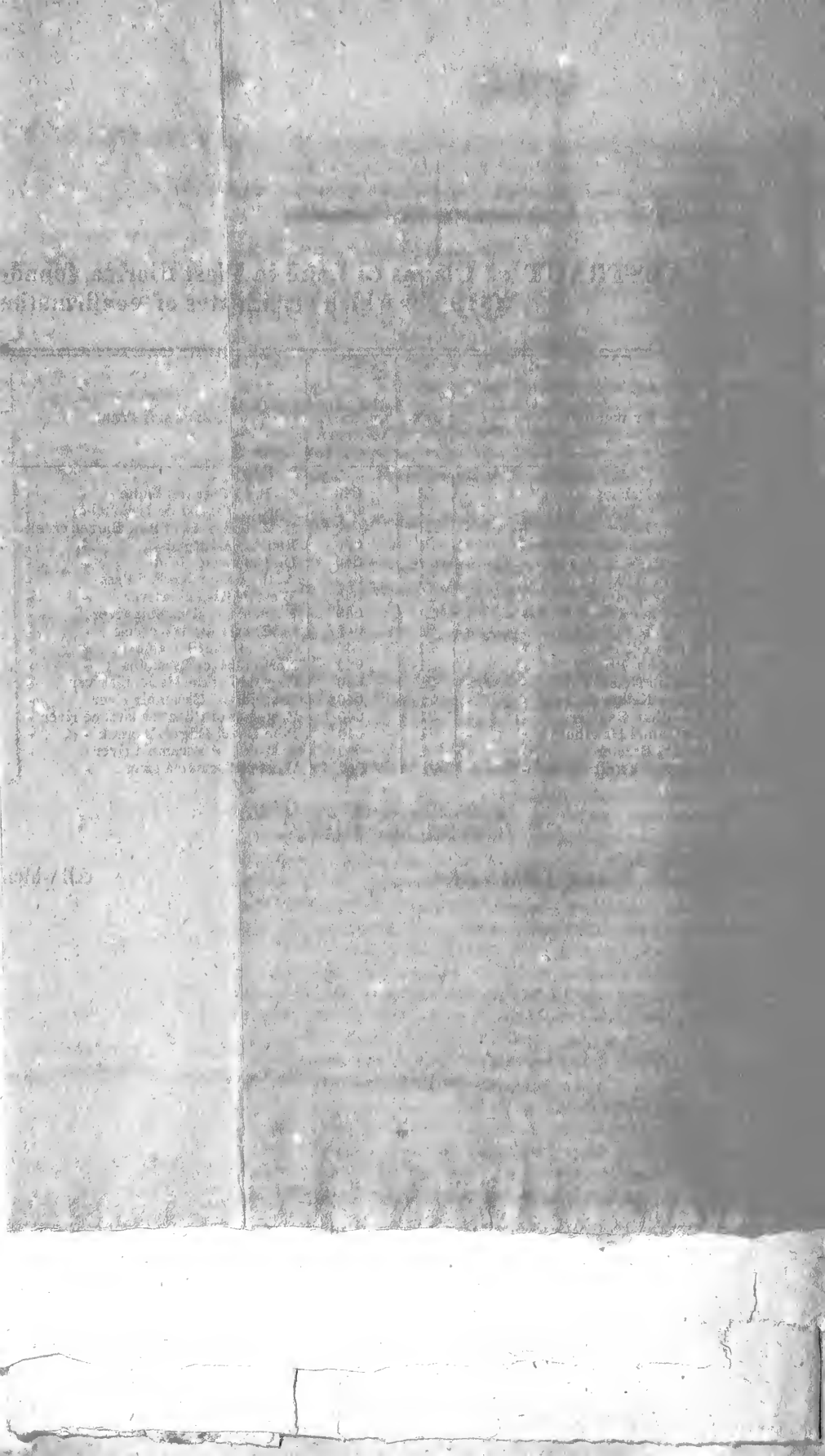
NUMBER.	BY WHOM CLAIMED
1	Pablo Palmes -
2	Vicente Batletongue
3	John Gayler
4	Benjamin Hadley
5	Joel A. M'Davids
6	James Wilkins
7	Drumy Manning
8	Needham Parker
9	Elijah H. Holmes
10	Henry O'Neal
11	Abraham Pringle
12	Joseph Nelson
13	Jacob Kelker
14	Jonathan Bamker
15	Nathaniel Hawthorn
16	James Bruster
17	Thomas Thrift

AN ABSTRACT of Claims to Land in West Florida, founded upon actual inhabitation and cultivation previous to the 22d of February, 1819, for which certificates of confirmation have been granted by the undersigned Commissioners.

NUMBER.	BY WHOM CLAIMED.	AGE.	QUANTITY OF ACRES.	WHERE SITUATED.	OCCUPATION & CULTIVATION.		GENERAL REMARKS.
					From.	To	
1	Pablo Palmes - - -	21	640	N. E. of Pasa del Yudio - -	1817	1820	As these claims are located in a section of country where the lands are not valuable, the Commissioners have considered it advisable, in all cases, to allow 640 acres.
2	Vicente Batletongue - -	21	640	North of Bayou de la Foucha -	1818	1824	
3	John Gayler - - -	21	640	N. W. and S. E. of Pine Barren creek	1817	1824	
4	Benjamin Hadley - -	21	640	Rich Lands Ponds - -	1817	1819	
5	Joel A. M'Davids - -	21	640	On Claiborne Road - -	1817	1824	Confirmed so as not to interfere with Miguel Quigles.
6	James Wilkins - - -	21	640	At the head of Indian Pass -	1818	1819	
7	Drumy Manning - - -	21	640	West of Escambia river - -	1819	1821	
8	Needham Parker - - -	21	640	East side of Escambia river -	1818	1819	
9	Elijah H. Holmes - -	21	640	N. E. of Edgely's creek - -	1818	1819	
10	Henry O'Neal - - -	21	640	West of river Escambia - -	1819	1824	
11	Abraham Pringle - -	21	640	North of river Escambia - -	1819	1824	
12	Joseph Nelson - - -	21	640	East side of the Escambia river	1818	1819	
13	Jacob Kelker - - -	21	640	East side of Escambia river -	1817	1824	
14	Jonathan Bamker - -	21	640	East side of Chactawhatchee river	1817	1820	
15	Nathaniel Hawthorn -	21	640	Pine Level Edgely's creek -	1818	1819	
16	James Bruster - - -	21	640	East side of Escambia river -	1819	1821	
17	Thomas Thrift - - -	21	640	West of Escambia river - -	1819	1820	

All which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH M. WHITE,
CRAVEN P. LUCKETT.



COMMISSIONERS' OFFICE,

Pensacola, January 20, 1825.

SIR: In compliance with the requisitions of the several acts of Congress organizing the Board of Commissioners in the District of West Florida, and regulating their duties, the undersigned have the honor to transmit, herewith, the following abstracts and reports, in addition to those already forwarded to your Department:

First. A special report upon claims exceeding 3,500 acres, with the opinions of the Commissioners, numbered from 10 to 11.

Second. Special reports on conflicting claims, emanating from the British and Spanish Governments, with an abstract of the evidence, numbered from 1 to 30.

Third. An abstract and report upon claims to lots in the village of St. Carlos de Barancas, marked I.

Fourth. An abstract and report upon sales at auction, which have been rejected by the undersigned Commissioners, marked K.

Fifth. An abstract and report upon claims to lots laid out on the public square, by the Cabildo of Pensacola, in 1813-14, marked L, with a plan of said alteration.

Sixth. An abstract and report upon British claims, marked M.

Seventh. A general abstract and report upon claims, some of which fall within the preceding classes, and others of an anomalous character, marked N.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

Hon. WM. H. CRAWFORD,
Secretary of the Treasury, Washington.

First—a special report upon claims exceeding 3,500 acres, with the opinions of the Commissioners, numbered from 10 to 11.

No. 10.

A REPORT

Of a claim of Vicente Sebastian Pintado to six lots in the city of Pensacola, numbers 11, 13, 14, 15, 16, and 18, situated between the squares of Ferdinand and Seville, and also the space of ground situated between Seville square and the Bay, bounded by high water in calm weather: besides ten thousand arpens of land and water situated in the district of West Florida, in the different places designated by the figurative plats presented, and the description of each set forth and mentioned in the following certificates, from A to F; by titles emanating from the Spanish government, with an abstract of the evidence, reported in conformity to the provisions of an act of Congress, approved May 8th, 1822, entitled “An act for ascertaining claims and titles to lands in the Territories of Florida,” by the undersigned commissioners, to wit :

The claim of Vicente Sebastian Pintado to the above seven lots and ten thousand arpens of land, derived from Spanish titles, is founded on—

An original grant, or title, in form, made by Don Alexandro Ramirez, Intendant and Superintendant General of the Island of Cuba and City of Havana, &c. &c., stating that, whereas Vicente Sebastian Pintado, Surveyor General, presented a petition to this Intendancy the 19th of November last, stating the considerable expenses he had incurred by his removal to this City by my order, in agreement with that of the Captain General, for affairs interesting to his Majesty's service, and also the removal of his family, sacrificing his property; and praying, that, as an indemnity, there may be conceded to him in full property six lots in the town of Pensacola, among those which were put up to sale in 1813, by a resolution of the Town Council then existing, situated between the squares which in the general plan made out in 1808, were named, the one Ferdinand VII. and the other Seville, designated in the same plan by the Nos. 11, 13, 14, 15, 16, and 18; also the space of ground situated between the said Seville square and the Bay, bounded by high water in calm weather, the corners of the lots of Beltran Souchet, Thomas Villaseca, and that reserved for an hospital, and besides 10,000 arpens of land in West Florida, in the situations to be designated. And, having transmitted the said petition to the Fiscal of Royal Finance by decree of 20th of November last, he having taken into consideration the truth of what was

advanced by the said Surveyor, his well known merits, the engagements he had contracted in removing himself and family to the City, and the impossibility which he states of subsisting on his scanty emoluments, consented that his petition should be granted : I therefore decreed, on the 7th instant as follows : "In conformity with the Fiscal, and considering the merit and services of Captain Don Vicente Sebastian Pintado, I concede to him the six lots and 10,000 arpens belonging to the domain, which he asks for in West Florida, without prejudice to a third; and, on condition of building on the one, and cultivating or improving the others, in the most beneficial manner, according to the regulations on that matter for the peopling of that province, given to me in charge by his Majesty, let a title be given to him for the lots, according to the plan presented, and that for the lands, as soon as the description is presented under his responsibility in this respect, as Surveyor General of that Province, to whose Sub-delegate and Minister of the Royal Treasury shall be given the necessary orders." Wherefore, making use of the powers invested in me by the King, and in his Royal name, I concede gratuitously to the said Surveyor, Don Vicente Sebastian Pintado, the six lots designated in the plan, under the numbers 11, 13, 14, 15, 16, and 18, and the piece of ground indicated in the same plan, as having 204 English feet and 4 inches between the corners of the lots belonging to Bertran Souchet, Thomas Villaseca, and that reserved for a military hospital, with the prolongation of its lateral lines to and on the Bay, as far as the pebbly ground, or where the bank of sand terminates, in order that, as his property, he may, without prejudicing a third, the same to enjoy, possess, sell, or alienate, at will. In faith whereof, I have ordered this title to be made out. Signed Alexandro Ramirez, Intendant General: countersigned by Pedro Carambot, Secretary of War. Dated Havana, 17th of December, 1817.

Also, an original certificate, marked letter A, for one thousand one hundred and eighty-one arpens, situated on the west end of St. Rose's Island, from the point called Siguenza, at the entrance of the port of Pensacola, extending four English miles to the east, and terminating at a line drawn from sea to sea, north and south, with all that is included in this *arid* and barren space, and bounded on the east, north, and south, by the sea, conformably to the annexed plat.

Also, certificate B, nineteen arpens, situated on the lands at the western extremity of Pensacola, fronting the Bay of the same name, which bounds it on the south; through this land passes the Creek of the Aguada, from its mouth in the Bay to the lands conceded or sold to Don Pedro Reggio, with which, and others of John Forbes & Co. it is bounded on the north, on the west by lands of Don Francisco Maximiliano de San Maxent, and part of the second Creek of the Aguada, which makes a natural limit from its mouth a small way upward, and on the east by Pensacola, leaving between the necessary streets and roads.

Also, certificate C, an extension of the waters of the Bay of Pensa-

cola, whose superficies is equal to an area of 718½ arpens, from the east point of the mouth of Bayou Chico, to the west point of the mouth of Bayou Texar, and a line drawn S. W. by the compass, 95 Parisian perches into the bay from the said first point, and another line of 100 perches in length from the second point into the bay, in the same direction S. W. which includes all the front between the mouths of the Bayous Chico and Texas. between which lies the town of Pensacola; all, according to the plat annexed, which represents the figure of said extension in the water, and the limits in the Bay of Pensacola; those on the side of the land and beach between the said two points of the said creeks, being a curve, produced by the highest tides in calm weather, and with its depth from the surface of the water till ten feet lower than the present bottom, or towards the centre of the earth, throughout all the space embraced by the plat; considering it as a solid, since it contains the three dimensions of length, breadth, and depth; but, excluding that part which was conceded to me by the same title with the other lots, and which is also designated in the plat annexed, as, likewise, the wharf of Forbes & Co. also therein designated, and which they have been for many years in possession of: the whole in full property, and for the object of building wharves and bathing houses, saving and excepting not only his Majesty's rights, but also those of the public, whenever it may be found convenient to build wharves with municipal or other public funds, this concession being solely to the exclusion of individuals.

Also, certificate D, a piece of ground of 2,281½ arpens, situated on the east side of the River Escambia, or, rather its Eastern Branch, which forms the Island called Antonio, lately granted to Don Francisco Bonal, at about 16 miles from its mouth in the Bay of Escambia, and 22 miles N. N. W. from Pensacola, bounded on the north and east by public lands, on the south by lands lately ceded to Don Thomas Villaseca, and on the west by said branch of the Escambia.

Also, certificate E, another tract of land 5000 arpens, situated on the west bank of the Escambia river, between it and pine Barren Creek, about 31 miles N. W. ¼ N. from Pensacola, bounded on one side by the said river, 1300 Parisian perches in front thereof, according to its course upwards, reckoned from its confluence with said pine Barren Creek, which bounds on the other side, and by public lands on the remaining sides.

Also, certificate F, another tract of 800 arpens, to complete the 10 000 conceded to me, situated on the east side of the Escambia, at about 36 or 38 miles N. N. W. of Pensacola, in front of those selected by Juan Malagosa, to petition for on Turbin's Bluff; signed Vicente S. Pintado. Dated Havana, 12th of December, 1817.

Also, an original grant, or title in form, similar to the preceding one, for the lots, made to the Surveyor General Vicente S. Pintado, by Don Alexandro Ramirez, Intendant General, countersigned by Pedro Carambot, Secretary of War, for the 10,000 arpens of land, as described in the foregoing certificates. Dated Havana, 17th December, 1817.

Pablo Palmes, being duly sworn, saith, that he was for some time

a Clerk in the office of Intendancy at Havana, has often seen Ramirez, the Intendant, and Pedro Carambot, the Secretary, sign their names, and believes, from his familiar acquaintance with their signatures, that those affixed to the grant of 10,000 arpens of land to Vicente S. Pintado are genuine; and also believes the signatures of the same, subscribed to the grant of the six lots in Pensacola, to be likewise genuine, and further saith not.

OPINION OF THE COMMISSIONERS.

As the whole amount of lands and lots embraced in these claims was included in one concession, before the titles in form were given, we have considered it our duty to report the case to Congress. The lots Nos. 11, 13, 14, 15, 16, 18, and the space of ground situated between Seville square and the Bay, bounded by high water in calm weather, and as described in the above title papers, are reported in our abstract of sales by the Cabildo, and gratuitous concessions, on the public square of Pensacola. For an opinion in relation to these lots, see our report upon that class, marked L. We have further to remark, that no evidence has been adduced to prove that Mr. Pintado ever built upon these lots, in compliance with the condition imposed by the grant of the Intendant.

The grant of 1,181 arpens on the west end of St. Rosa's Island, as described in certificate A, is worthy of some attention. It will be seen, that this tract extends from a point called Seguenza, at the entrance of the port of Pensacola, and at the lower extremity of St. Rosa's Island. It embraces the point on which Fort Arruinado stood, on the western side of the Island, opposite to Fort Carlos de Barancas, and upon which, it is believed, the Spanish Government always had batteries erected for the defence of the entrance into the Bay of Pensacola. This position seems to have been an indispensable auxiliary to that of Barancas, and could not be appropriated to any other purposes but those of defence. It is an "arid and barren space," as described in the certificate, and entirely unfit for cultivation; under such circumstances, it is difficult to believe that the Spanish authorities would make such a grant as long as they expected to retain possession of the country.

The only remark we have to make relative to the 19 arpens described in certificate B, is, that it embraces almost the whole of the space reserved, upon the English plan of Pensacola, for a navy yard and a watering place for the shipping, as well as several lots on the east side of the Aguada, laid out agreeable to the aforesaid plan of said city, which may be seen at the General Land Office at Washington City. It is a little singular that this reservation should have been continued until the year 1817, and then granted to Mr. Pintado, including a block house which had been erected by the Spanish authorities for the defence of the city.

The space described in certificate C, includes almost the whole of the shoal water, &c. in the bay, immediately contiguous to the city of

Pensacola, and extending about two miles from the mouth of bayou Chico to that of bayou Texar. It was granted for building wharves and bathing houses, and saves and excepts not only the rights of his Catholic Majesty, "but also those of the public, whenever it may be found convenient to build wharves with municipal or other public funds; this concession being solely to the exclusion of individuals." We believe this grant contrary to the laws of nations as well as the municipal laws of Spain, and ought not to be confirmed.

A river, or bay, consists of three things—the *water*, the *bed*, and the *bank*. The last includes shoals and sand bars, covered with water at ordinary stages of the sea or river, as well as the band of land lying between high and low water mark. The bank shore, or beach, consists of *batture* above and below the water. The first is formed of the land beyond the reach of the highest floods; and the second, that which lies under the water, and the land lying between high and low water mark.

This batture belongs to the adjacent proprietors. It is a natural right, and applies to *urban* as well as *rural* possessions.

Whilst a river, or the bed, is covered with water, the public have a right to the *use* or *servitude* in them as *common* property, as in the cases of roads and highways. As soon as they are *deserted*, or alluvions are formed free from inundation, or reclaimed by levies, &c. they become *private* property.

The property of the *banks* belongs to those whose fields or lots are contiguous to the sea, bay, or river. Although they may be a given number of feet deep, yet, if their dimensions bound and butt them upon the beach, they are considered as extending to the water's edge, and the contiguous proprietors are entitled to alluvion. These banks are not sold or measured, but are understood to pass as an accessory to the field or lot sold. This is even the case where a *public* road intervenes, which is not permitted to break the continuity of the claim. If the road is laid out on the *bank* of the sea or river, the public cannot own the ground on which it runs, unless it is so expressly stipulated, and can only have a *servitude* in it, as it passed with its principal, the adjoining land. These positions are not only true in relation to *limited fields which go to the sea or river*, but are equally applicable to those without limits.

"The water-fountains; the places where fairs and markets are held; where the city councils meet; *the sandy places on the banks of rivers, belong separately to the commons of cities and towns*, because they have been appropriated and granted for the *common use* of each city, town, castle, or other place."—*Partidas*, tit. 28, l. 9. The same work upon the subject of sale and purchase, tit. 5, l. 15, declares, "that public squares, roads, threshy grounds, rivers, and *other waters*, which belong to the king, or the commons of any city, cannot be sold or alienated." This authority would seem to be conclusive in proving that the land covered by water and granted to Mr. Pintado, belonged to the commons of Pensacola, and could not be alienated.

The lots in Pensacola do not belong to the King, but to individuals, and their dimensions carry them to the *water's edge at highest tide*. There is shoal water, or *batture under the water*, for some distance towards the channel. Although there is a *use* or *servitude* in a public road on the beach, yet it was not stipulated that the public owned the ground, and it does not, as we have already remarked, break the continuity and present any impediment to the right of alluvion. The grants of Santiago Coleman, Manuel Hernandez, and Jose Bonifay, fully explain every thing relative to the road. These grants were made on the bay above Pensacola, and they provide that a portion of the shore shall be left to "form a free and public passage along the coast, *without prejudice to the rights of alluvion and avulsion*." The adjacent proprietors then were entitled to the batture as an accessory which passed with its principal. The line in front was one of *admeasurement*, and not entirely a line of *boundary*; and the lot was sold *per aversionem*, and not *ad mensuram*; that is, it was disposed of in the gross, and not by the *measure*, or so much the acre.

The King, in this case, had no right to the bank, or alluvion, shoals, or sand bars, and could not alienate them. As long as the bed of the river is covered with water, the public have a right only to the *use* or *servitude* of that element, for the purposes of navigation. As regards this *use*, it is *common* property, and is only an appendage of sovereignty. The sovereign is barely the *trustee* of this common right; he can only prescribe laws how it is to be enjoyed, but cannot dispose of it, or reduce it to severalty. If the water advances upon the proprietors of the adjoining lands, they sustain the loss; if accretions are formed, or the water retires from the shore, they are entitled to the increase. This is nought but justice, and, no doubt, entered into the consideration paid for the lots when they were purchased. The Roman law, which was generally adopted in France and Spain, and the decisions of France and England, will, we believe, sustain the truth of these positions; we cannot avoid the belief, therefore, that this grant is illegal, even admitting that it emanated from his Catholic Majesty, and it is a provision of the common as well as civil law, "that all patents, orders, &c. contrary to right and law, shall not be executed, and judges are directed to disregard them."

For an opinion in relation to the lands described in certificates D, E, and F we beg leave respectfully to refer to our general report upon Spanish claims, as also that upon large claims. Although plots are filed in all these cases, they are dated on the 12th December, 1817, without being accompanied by certificates of survey. We, therefore, presume, that they never were surveyed; and no proof has been exhibited to show that Mr. Pintado ever cultivated or improved these lands "in the most beneficial manner, according to the regulations on that matter," for the peopling of this province, in compliance with the conditions imposed by the grant.

These grants appear to be gratuitous, conveying a full property in the lands and lots, and intended as an indemnity for losses sustained.

They are copies from the Havana, obtained subsequent to the 24th of January, 1818, when we were entitled to the originals under the solemn stipulations of the treaty between Spain and the United States. This fact, combined with the character of the claim to part of the bay and St. Rosa's Island, is calculated to create a presumption of fraud in relation to both of the grants.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 11.

A REPORT

Of a claim of John Forbes, to an Island in the River Appalachicola, containing from six to eight thousand acres, more or less, by a title emanating from the Spanish government, with an abstract of the evidence, reported in conformity to the provisions of an act of Congress, approved May 8th, 1822, entitled "An act for ascertaining claims and titles to land in the territories of Florida," by the undersigned Commissioners, to wit:

The claim of John Forbes to the above Island is founded on the following title papers and testimony, exhibited in support thereof, to wit :

May it please your Excellency: John Innerarity, special attorney of Mr. John Forbes, begs leave respectfully to represent: That, as appears by the accompanying documents, No. 1, and its translation, No. 2. the principal chiefs, leaders, and head men of the Lower Creek and Seminole towns, *in consideration of the important services which the said Mr. John Forbes has rendered them, and the signal regard with which he has treated them since the year 1785. when the house and stores of Panton, Leslie & Co. were established in this Province,* unanimously resolved and determined, at a meeting held at the town of Tuskaloosa, on the river Chata-Hoochee, on the 10th day of April, of the last year, 1810, to cede and convey gratuitously, and of their own free will, to the said Mr. John Forbes, an Island of about seven miles in length, and one and more in width, situated in the river Appalachicola, opposite to the store, or factory, which now exists there; to have, and to hold the same, in all its extent, or dispose of it in favor of his heirs and assigns. In virtue whereof, and as the said cession is shewn to be ratified by the document No. 3, signed by the aforesaid Chiefs, before his honor the commandant of the Fort of Appalachy, nothing else is wanting excepting the interposition of your Excellency's authority to confirm the said cession, and order the issuing of a title in form, in the same terms as that issued to the

House of Panton, Leslie & Co. and the one about to be issued to Messrs. John Forbes & Co., which request he prays your Excellency to grant. Pensacola, 7th June, 1811. Signed, John Innerarity.

Granted, with the understanding, that Mr. John Forbes cannot dispose of the Island in question, nor alienate it, without the express consent of this Government, and that its acquisition is understood to be on the same footing as that for which a confirmatory title was issued on the third of December, 1806. Signed, Folch.

I, Don Marcos de Villiers, Captain of the regiment of Infantry of Louisiana, and civil and military commandant of this Fort, certify, That, on this present day, *seven Chiefs of the Seminole Nation* presented themselves before me, viz; Capitza Micco, Kinghachee of the Miccasucky town, with his principal warrior Catcha Tustunnuggie, and the two principal chiefs, Aza-Micco, and Cossa Facho, Yabulla Emathla, with his principal warrior False Facho, of Chisquitalusa, and Ninni Humata Tustunnuggie, of Totohuitee; when, after having given me their hands in token of friendship, declared, that they *acknowledged the foregoing signatures made by some of themselves, and the Chiefs of their nation, to be legitimate and true, and that the gratuitous and generous cession contained in the foregoing instrument of writing was just and valid, having been executed with the full consent of all the nation, in whose name it was published and signed.* In testimony whereof, I sign the present, with two assistant witnesses, at St. Marks, Appalachy, this twenty-fifth day of May, one thousand eight hundred and eleven. Signed, Marcos de Villiers.—Signed, Jose Urcullo, Lorenzo Vitrian.

At a Congress of the Chiefs and Head-men of the Lower Towns of the Creek Nation of Indians, held in the village of Tuskatalosa, on the River Chata Hooche, in the month of April, one thousand eight hundred and ten, composed of the following persons, viz: Payne, chief of the Seminole towns, Capitza Micco, Ufalo Hadjoe, Hopoi Hadjoe, Tuskai Micco, Hopoi Micco, Yabulla Emathla, Eja Micco, Tootleo Tustunnuggie, Annai Micco, Nunni Humata Tustunnuggie, Tuskai Hadjoe, Juan Musquito, Juan Meally, Checha Tustunnuggie, Tootha Hosee, Tuskai Langhata y Halaghta Tustunnuggie. Whereas, we, the aforementioned Chiefs and head men of the Lower Creeks, *for sundry good causes and considerations, have unanimously resolved and determined, to cede and convey to John Forbes, Esq. merchant of Pensacola, in West Florida, a certain Island in the river Appalachicola, at present belonging to us, and situated opposite to our actual trading store, on the said river Appalachicola, which Island we compute to be about seven miles in length, and a mile in breadth, be it more or less, in order that the said John Forbes may hold and possess the same in all its extent, and for his sole use and benefit. And we, the aforesaid chiefs and head men, in our own name, and in that of all the Lower Creek nation whom we represent, do cede, and have ceded, all our right to the said Island, conformably to the usage of Indians, in favor of the aforesaid John Forbes, Esquire, his heirs, executors, administrators, and assigns, now and for evermore. In testimony whereof, we have hereunto affixed our hands, with our signatures, or marks.*—Done at

Prospect Bluff, Appalachicola, this twenty-second day of April, one thousand eight hundred and eleven.—Mark of Attaly, for Tustnunnugie Checha, do. Hopoie Halaghta, by Chupalocky, mark of Hopoie Micco, mark of Yahulla Emathla, mark of Capitza Micco, mark of Taska Micco, mark of Hopoi Cuchee, mark of Miccasuky Tuskinai, mark of Cuessa Emauthla, mark of Yahulla Hadjoe, mark of Ninny Humata Tustinuggie, mark of Eupala Hadjoe, mark of Ufala Micco, mark of Tolugta Hadjo, mark of Wassetia Tustannugie, mark of Tustinnuggie Chachuskany, mark of Tuskai Hadjoe, mark of Juan Meally.—Signed and delivered in our presence, Edmund Doyle; Daniel Blue; William Hambly.

I, Don Vicente Sebastian Pintado, Surveyor General of this Province, exercising the functions of public interpreter, which office is at present vacant, certify, that I have made the preceding translation truly and faithfully, according to the best of my understanding and capacity, and according to the literal sense of the annexed paper in the English idiom, and at the instance of Mr. John Innerarity, attorney of Mr. John Forbes.—Pensacola, the twenty-second day of June, one thousand eight hundred and eleven. Signed, Vicente Sebastian Pintado.—Costs 22rs.

Whereas, at a meeting of the Chiefs of the Lower Towns of the nation of Creek Indians and Seminoles, held at Chisquitalusa, on the twenty-sixth of April of the preceding year, one thousand eight hundred and ten, it was unanimously accorded and resolved by said Chiefs, in the name of their towns and nations, to cede, gratuitously and generously, to Mr. John Forbes, an Island which is situated on the western side of the river Appalachicola, fronting the place where the factory belonging to the house of Messrs. John Forbes & Co. is established, the limits of which, according to the instrument of writing in the English language, signed and executed by them in favor of the said John Forbes, Esq. under date of the twenty-second day of April, of the present year, in the said factory, at which we also assisted, accompanied by Mr. William Hambly as agent and interpreter of the said John Forbes, Esq. and Mr. Daniel Blue, a half pay English officer, in the capacity of a surveyor, to trace the line, which runs thus: beginning its course from the place called the Three Mouths, running up the river Appalachicola, on the western side, from about nine miles, more or less; from its mouth, it follows in different directions to the distance of about a mile and a half higher than the place where the said factory is situated, the directions, courses, and distances of which, appear more particularly in the plan, or map, annexed to this deed, which Island we have ceded to the said John Forbes, Esq. *to have, and to hold the same, or to dispose of it at his option*, and, as such, we order, that it may be observed and respected by all, now, from henceforth and forever. Given at St. Marks, Appalachy, in presence of his honor the Commandant of said post, Don Marcos de Villiers, and the subscribing witnesses, on the twenty-fifth day of May, one thousand eight hundred and eleven. Mark of Capitza Micco Kihachee, mark of Cocha Tustunnuggie; mark of Aza Micco, mark of Coosa Facho, mark of Yahulla Emathla, mark of Talse

Hacho, mark of Ninni Humata Tustunnuggie.—We, the undersigned, declare, that although we were not present at the demarkation of the aforementioned boundary line, we know, and are well satisfied with its accuracy and justness, and, in conformity, we sign the same, on the day of the date, in presence of the Commandant of this Fort, Interpreters, and assistant witnesses. Mark of Nocose Opay, mark of Cowa Emathla, mark of Tustunnuggie Facho, mark of Micco Hadjoe, mark of Nocose Hadjoe.

Don Marcos de Villiers, Captain of the regiment of infantry of Louisiana, Commandant and Subdelegate of the Department of Finance in this Fort, certify, that, at a meeting held this day, the chiefs and warriors composing the same, signed the foregoing paper in my presence, as also Don Felipe Prietto and Mr. William Hambly, by whom its contents were interpreted to them, with the intervention of the undersigned assistant witnesses: Appalachy, this twenty-fifth day of May, one thousand eight hundred and eleven. Signed, Marcos de Villiers, Felipe Prietto, William Hambly, Lorenzo Vitrian. Jose Urcullo.

Don Francisco de St. Maxent, Colonel of infantry, Lieutenant Colonel and Commandant of the regiment of infantry of Louisiana, Political and Military Governor, ad interim, of this Province: I certify that the foregoing documents are conformable to the original record on file in the Secretary's office of this Government, and of the title delivered to the attorney of Mr. John Forbes; in evidence of which, I give the present under my hand, sealed with my armorial bearings, and countersigned by the undersigned Secretary of this Government: Pensacola, this twentieth of December, one thousand eight hundred and eleven. Signed, Francisco Maximiliano de St. Maxent. Signed, Pablo Larin.

Also, an original confirmation, or title in form, given by Governor Folch, countersigned by the Secretary of the Government, which reads in the words following, to wit:

Don Vicente Folch y Juan, Brigadier General of the royal armies, Military and Political Governor of the Province of West Florida, Inspector of the troops of the line and militia thereof, Vice Regius Patronatus, Judge. Subdelegate of the Superintendency General, &c. &c. Whereas, Mr. John Innerarity, attorney of Mr. John Forbes, has represented to me in his memorial, of the seventh day of the present month, that the principal chiefs, leaders, and head men of the Lower Creek and Seminole Indians, at a meeting held at the town of Tuskatalosa, on the river Appalachicola, on the tenth day of April of the preceding year, one thousand eight hundred and ten, unanimously resolved and determined, gratuitously, and of their own free will, to cede and convey to the said Mr. John Forbes, an island of about seven miles length, and one or more in width, situated in the river Appalachicola, facing the store or factory established there, in consideration of the important services which he has rendered them, and the regard he has shown them since the year one thousand seven hundred and eighty-five, when the house of Messrs. Panton, Leslie & Co. was established, for which purpose the different chiefs, leaders, and head men, assem-

bled at Prospect Bluff, Appalachicola, on the twenty-second day of April last, together with Mr. Edmund Doyle, agent of Mr. John Forbes, Mr. Daniel Blue, surveyor, and Mr. William Hambly, agent and interpreter, and signed the deed of cession and conveyance of the said island, which they ratified on the twenty-fifth day of May last, before the Commandant of the Fort of St. Mark's, Appalachy, Don Marcos de Villiers, and the official witnesses: the said chiefs and leaders being headed by the principal chief of the Mickasuky town, Cupitza Micco Kenhachee, with other chiefs of the tribe, commissioned for the purpose, and the ratification being renewed by another deed of the same date, with the marks of the chiefs in question, and certified by the aforesaid commandant, Don Marcos de Villiers, with the official witnesses, Don Jose Urcullo, and Don Lorenzo Vitrian, and signed also by the interpreters, Don Felipe Prietto, and Don Guillermo Hambly, it appears that the said island begins at a place called the "Three Mouths," distant about nine miles from the mouth of the river Appalachicola, and ascending the said river from the said place, in different directions and courses on the western side of the same, to about one and a half miles above or opposite to the site where the factory is at present established: and whereas it was one of the conditions and stipulations for the establishment of the said house, that the government should afford it every possible support and assistance within its control, for the recovery of their Indian and trading debts and claims, in order to preserve that friendship and good harmony which is so requisite, and this concession not being contrary to our laws, and to the sovereignty of our Catholic monarch, I gave my decree to the aforesaid memorial, on the eighth day of the present month, in the following words: "Granted, with the understanding that Mr. John Forbes cannot dispose of the island in question, nor alienate it, without the express consent of this Government, and that its acquisition is understood to be on the same footing as that for which a confirmatory title was issued on the third of December, one thousand eight hundred and six;" and the cession of said island having been solemnly confirmed by the aforementioned deed, of the twenty-second of April last, signed by Attaly Tuskaman, Katchela of Chupaluckee, Hopoie Holaghta, Hopoie Micco, Yahulla Emathla, Capitza Micco, Hopoie Micco, Hopoie Cuckie, Mickasuccky Tuskinia, Conesa Emathla, Yohalla Hadjoe, Nerry Hoomaghta Tuskannaggee, Ufala Micco, Ufala Hadjoe, Talaghta Hayde, Wasesa Tuskannucky, Tuskay Hodjoe, Juan Meally, in presence of Edmund Doyle, Daniel Blue, and William Hambly, which deed, with its translation, annexed to the proceedings, is certified by the commandant of the Fort of St. Mark's, Appalachy, in presence of the official witnesses, Don Jose Urcullo, and Don Lorenzo Vitrian, and the boundaries having been designated by the chiefs deputed for that purpose, Capitza Micco, King Hagee, Asa Micco, False Hadjoe, Catcha Tustannuggie, Cosafacho, Yahulla Emathla, Nimo Sumasta Tustannuggie, who having made their declaration before the abovementioned commandant, the same having been duly executed in writing, and

with every formality, which deed was also signed by Nocose Opay, Tustannuggie Hadjoe, Nocose Hadjoe, Eava Emathla, and Micco Hadjoe, the whole of them unanimously consented for their respective towns and nations, to the said gratuitous and generous concession, in favor of John Forbes and his heirs, which act was certified by the aforesaid commandant, before the official witnesses, Don Jose Urcullo, and Don Lorenzo Vitrian, and the interpreters, Messrs. Felipe Prietto, and William Hambly. In consequence of all what is afore related, Mr. John Innerarity, as attorney of the aforesaid Mr. John Forbes, prayed me in the conclusion of his aforementioned memorial, to interpose my authority in due form, for the ratification of the ist- and specified in the map, or plan of the same, made by the Surveyor General, Don Vicente Sebastian Pintado, which will be annexed to the present. Wherefore, exercising the powers which the King, our sovereign (whom God preserve) has conferred upon me, I confirm and ratify, in his royal name, to the said John Forbes, the cession of the aforementioned island, made by the Seminole and Lower Creek nations of Indians, represented by their principal chiefs, and head men, with the dimensions, courses, and distances, as laid down in the aforesaid map, or plan, which, together with all the original records of the same, are registered in the Secretary's office of this Government; and I declare the said John Forbes invested with the sole and absolute dominion thereof in fee simple, to have and to hold the same as his property, in order that he may possess, cultivate, sell, or alienate, the same, agreeable to the tenor of my decree, inserted in the title hereof, and I grant him power to take possession, with which I hereby invest him in form. In faith whereof, I have ordered these presents to be despatched, signed with my own hand, sealed with my armorial bearings, and countersigned by the undersigned Secretary of this Government. Done in the town of Pensacola, the fifteenth day of June, one thousand eight hundred and eleven. (Signed) Vicente Folch. By order of his Excellency. (Signed) Pablo de Larin. [L. s.]

Also, an original certificate of Pablo de Larin, Secretary of the Government, stating that the original proceedings of the cession, of which the foregoing is the patent of confirmation, remain deposited in the archives of this Government office, and an authenticated copy thereof, and of the whole of the aforesaid proceedings have been delivered this day to the Surveyor General of this Province, Don Vicente Sebastian Pintado, for the purpose of being registered in his office, and a notarial copy of the whole has also been delivered to the representative of the party interested. Pensacola, this twentieth day of December, one thousand eight hundred and eleven. Signed, Pablo de Larin.

OPINION OF THE COMMISSIONERS.

This grant is made by a Congress of the Chiefs and Headmen of the Lower Towns of the Creek nation of Indians and the Seminoles. They have ceded all their right to the said Island, conformable to

the usage of Indians, to John Forbes, to have, and to hold the same, and to dispose of it at his option. This they have done, they say, for sundry good causes and considerations, which are explained in the petition of Mr. Innerarity, and the confirmatory title of Governor Folch, to be the important services which John Forbes has rendered them, and the regard he has shewn them since the year one thousand seven hundred and eighty-five, when the house of Messrs. Panton, Leslie & Co. was established. The grounds upon which the confirmatory title of Governor Folch seems to have been given, were, that it was one of the conditions and stipulations upon which said house was established, that the Government should afford it any possible support and assistance within its control, for the recovery of their Indian and trading debts and claims, in order to preserve that friendship and harmony which is so requisite. The title was obtained with the same formalities, and under the same restriction or condition of not alienating the land without the consent of the Government, as those observed in the two grants to Panton, Leslie & Co. and John Forbes & Co. on the East side of the Appalachicola river. In this claim the same questions are also presented to the minds of the undersigned Commissioners, and for an opinion in relation to it, they beg leave respectfully to refer to their opinion in those two cases, already forwarded to the Secretary of the Treasury.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

Second—Special report on conflicting claims, emanating from the British and Spanish Governments, with an abstract of the evidence, numbered from 1 to 30.

No. 1.

A REPORT

Of claims to a tract of land, containing seven thousand arpens, situate on the eastern side of Escambia river, sometimes called an Island, about twenty-six miles from Pensacola, in the District of West Florida, claimed in part by titles emanating from the British Government, and in toto by a claim emanating from the Spanish government, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822. entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Theodore Galliard, Cornelia, his wife, formerly Cornelia Marshall, and Jane Marshall, citizens of the United States, to two hundred acres of land, derived from the British government, is founded on—

An original patent, under the great seal, granted to Joseph Lamb by Peter Chester, Captain General and Commander-in-chief of his Britannic Majesty's Province of West Florida, dated the 2d day of March, 1779, on the usual conditions. Signed, countersigned, and recorded, in due form.

Also, an original deed of bargain and sale, from the grantee, to William Marshall, dated the 8th day of March, 1779, acknowledged and recorded in due form.

Also, a certified copy of a deed of trust, of William Marshall, Jun. son of the aforesaid William, to Theodore Galliard, and for the benefit of Cornelia, his wife, and Jane Marshall, of all the lands, &c. to which the said William was entitled in the province of West Florida, upon trust and conditions therein enumerated and expressed, dated the second of November, 1803, with a schedule of the lands and lots thereunto annexed. Certified to be a true copy, by Charles S. Tucker, Register, whose signature is authenticated by a certificate of the Governor and Secretary of South Carolina, under the great seal, dated 19th September, 1822.

Also, a deposition of Elihu Hall Bay, duly certified and authenticated, stating that William Marshall, Sen. was a staff officer in the British ordnance department, and resided in Pensacola, until the Province was surrendered to Spain; that, during this period, he had various grants of lands made to him by the different British Governors; that the deponent was well acquainted with William Marshall, and his affairs, and about the year 1781 or 1782, he left Pensacola and went to South Carolina, and settled himself in the city of Charleston, and soon after became a citizen of said state; that he, the said William, died several years afterwards, leaving a son named William, one of the Judges of the state, who died some years ago, leaving two daughters, Cornelia, wife of Theodore Galliard, and Jane Marshall: that William Marshall, Sen. had a number of negroes in West Florida, and cultivated two tracts of land, and that he was in actual possession of several lots in Pensacola, on one of which he resided. Signed and sworn to before William S. Smith, clerk of the Court of Common Pleas, whose signature and seal is accredited by the certificate of the presiding Judge and Governor, under their respective hands and seals.

Also, a deposition of John Black, stating, that he resided some time in Pensacola, until the capture of that place by the Spaniards, and that he was well acquainted with William Marshall, who resided in his own house, situated about two lots distant from the corner of George street, leading to Fort George, and that the said Marshall owned many tracts of land in the vicinity of Pensacola, and elsewhere in the province; and further saith, that the said William Marshall came to Charleston with his family, where he became a citizen, and

resided the remainder of his life; his family were, his son William, now dead, and his daughters Cornelia and Jane.—Sworn to, certified, and authenticated, as above.

Also, the claim of Theodore Galliard, Cornelia, his wife, formerly Cornelia Marshall, and Jane Marshall, citizens of the United States, to two tracts of land of five hundred acres each, founded on—

A plot and certificate of survey, made by Elias Durnford, Surveyor General, pursuant to a warrant from Peter Chester, Esq. Captain General, and Commander in chief over his Britannic Majesty's Province, dated the 22d day of February, 1779. Certified on the 26th of the same month. Situated 26 miles from Pensacola, and bounded on the north by the lands of Joseph Lamb.

Also, an original patent for the same, under the great seal, to Charles Ward, granted by the said Peter Chester, dated the 2d day of March, 1779, signed, countersigned, and recorded.

Also, an original deed of bargain and sale, for two tracts of land of 500 acres each, dated the 12th March, 1779, reciting, that he had obtained, by letters patent, two tracts of land, one bounded on the north, by the lands of Joseph Lamb; the other bounded on the south, by the said Lamb. He conveys the same to William Marshall.

Also, a copy of the plat, and a certificate from the land office of the District of Washington, stating, that the patent to the last mentioned tract, bounded on the south by Lamb, had been recorded in that office.

Also, a certified copy of a deed of trust of William Marshall, Jun. son of the aforesaid William, to Theodore Galliard, and for the benefit of Cornelia, his wife, and Jane Marshall, of all the lands to which the said William was entitled in the province of West Florida, upon trust and conditions therein enumerated and expressed, dated the second day of November, 1803, with a schedule of the lands and lots thereunto annexed; certified to be a true copy, by Charles S. Tucker, Register, whose signature is authenticated by a certificate of the Governor and Secretary, under the great seal, dated 19th September, 1822.

Note.—See the foregoing depositions of Elihu Hall Bay, and John Black, in the claim of 200 acres.

Also, the claim of Theodore Galliard, Cornelia his wife, formerly Cornelia Marshall, and Jane Marshall, citizens of the United States, to two hundred and sixty acres of land, founded on an original patent, under the great seal, granted to Geo. Burden, by Peter Chester, Esq. Captain General and Commander in Chief in and over his Britannic Majesty's Province of West Florida, dated the 29th day of January, 1780; signed, countersigned, and recorded in due form.

Also, a deed, poll, and letter of attorney, executed by George Burden, reciting that he was entitled to three thousand acres of land, as a lieutenant in his majesty's service and transferring his right to the same to William Marshall, or so much thereof as he will locate, dated the 10th day of May, 1779; acknowledged and recorded.

Also, a certified copy of a deed of trust, of William Marshall, Jr.

son of the aforesaid William, to Theodore Galliard, and for the benefit of Cornelia his wife and Jane Marshall, of all the lands, &c. to which the said William was entitled in the province of West Florida, upon trust and conditions therein enumerated and expressed, dated the 2d of Nov. 1803, with a schedule of the lands and lots thereunto annexed; certified to be a true copy by Charles S. Tucker, Register, whose signature is authenticated by a certificate of the governor and secretary, under the great seal, dated 19th of September, 1822.

See the foregoing depositions of Elihu Hall Bay and John Black, copied in the claim of 200 acres.

The claim of Francisco Bonal, derived from the Spanish Government, to an island circumscribed by the river Escambia, fronting the Bluff called Durand's Bluff, containing seven thousand arpens, situated about fifteen miles from the mouth of the said river, is founded on the following title papers and testimony, exhibited in support thereof, to wit:

An original grant or title in form, made to Francisco Bonal, by Don Jose Masot, Governor and Subdelegate of the Intendant, and Superintendent General, for 7,000 arpens of land, an island in the Escambia river, under the seal of office. Signed by the said Governor, countersigned by Domingo Sausa and Joseph Cevallos, assistant witness, dated 1st October, 1817.

A copy of a plot and certificate of survey, signed by Vicente Sebastian Pintado, Surveyor General, dated Havana, 25th May, 1818, in which it is recited, that the annexed figured plot and measurement were executed by his deputy Don Pedro Reggio, on the 3d and 4th of October last, 1817, in favor of Francisco Bonal, in obedience to a decree of the Governor and Subdelegate of Royal Finance, of the province of West Florida, Don Jose Masot, dated 19th September, 1817.

Also, an original grant or title in form, made to Francisco Bonal, by Don Alexandro Ramirez, Intendant General, countersigned by Pedro Carambot, Secretary of War, dated Havana, 2d of May, 1818, setting forth, that Francisco Bonal, of Pensacola, presented a petition to the Intendancy, accompanied by a copy of the proceedings instituted in the Subdelegation of that place, for the obtaining a *gratuitous concession* of an island, situated in the river Escambia, opposite the Bluff called Durand's Bluff, which island was conceded to him by the said Governor Masot, and a formal title delivered; and in virtue of the powers conferred on him by his Lord the King, and in his royal name, he confirmed and ratified to the said Bonal the 7,000 arpens of land, containing the island aforementioned, and specified in figured plot No. 1,868, of which a copy is annexed to this title.

Pablo Palmes proved the signature of the intendant, escribano, and the subscribing witnesses attached to the grant.

F. H. Nisbet being duly affirmed, says, that he was upon the Island claimed by Francisco Bonal, in the month of August, 1821; that there was a family composed of two or three hands, who were engaged in cultivating the said land for Francisco Bonal; that there was a large clearing, and about 7 or 8 arpens planted with rice; that there were

no houses on the land, except a new unfinished barn; does not recollect having seen any thing else than rice growing; and further saith not.

Pablo Palmes being duly sworn, saith, that he was upon the land in the year 1819; saw two hands at work there in cultivating rice, corn, and potatoes; that there were two different clearings, the one planted in rice, and the other in corn; thinks there were about 7 or 8 acres in rice. but does not know how many in corn and potatoes; that the hands had sometime before erected a house on the Island adjacent to the river. and were forced to abandon it by high water; that the cultivation was continued from 1819 until about four months ago: and further saith not.

Jose Maura, being duly sworn, saith, that he was upon the Island in the year 1820, but knows that the improvements and cultivation were commenced in the year 1819; that the improvement consisted of a house and two clearings, one of which was planted in rice, and the other in corn, potatoes, and peas; thinks that there were 7 or 8 arpens in rice: and further saith not.

Joseph E. Caro, being duly sworn, saith, that he knows that the grant made by the governor of this province. Don Jose Masot, to Francisco Bonal, was in the year 1817; and further, that the grant was sent to Havana for confirmation.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON.
JOSEPH M. WHITE.

No. 2.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 150, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Theodore Galliard, Cornelia, his wife, formerly Cornelia Marshall, and Jane Marshall, citizens of the United States, to lot No. 150, in the city of Pensacola, is founded on

An original patent, granted by Montford Brown, Esq. Lieutenant Governor of the province of West Florida, for his Britannic Majesty, under the great seal, signed and countersigned, dated 12th day of January, 1768, to James Aria, of Pensacola, upon the usual condition. Also, an original lease and release, executed by the grantee to Patrick Morgan, on the 6th or 7th days of June, 1769, acknowledged

and recorded in the proper office, and certified accordingly. Also, an original deed of bargain and sale, from Patrick Morgan to William Marshall, dated the 8th September, 1778, acknowledged and recorded in due form.

Also, a certified copy of a deed of trust of William Marshall, jun. son of the aforesaid William, to Theodore Galliard, and for the benefit of Cornelia his wife, and Jane Marshall, of all the lands, &c. to which the said William was entitled in the province of West Florida, upon trust and conditions therein enumerated and expressed; dated the 2d day of Nov. 1803; with a schedule of the lands and lots thereunto annexed; certified to be a true copy, by Charles S. Tucker, Register, whose signature is authenticated by a certificate of the Governor and Secretary, under the great seal, dated 19th September, 1822. Also, a deposition of Elihu Hall Bay, duly certified and authenticated, stating that William Marshall, sen. was a staff officer in the British Department, and resided in Pensacola until that province was surrendered to Spain; that during this period he had various grants of land made to him by the different British Governors; that the deponent was well acquainted with William Marshall and his affairs, and about the year 1781 or 1782, he left Pensacola and went to South Carolina, and settled himself in the city of Charleston, and soon after became a citizen of said state; that the said William died several years afterwards, leaving a son named William, one of the Judges of the state, who died some years ago, leaving two daughters, Cornelia, wife of Theodore Galliard, and Jane Marshall; that William Marshall, sen. had a number of negroes in West Florida, and cultivated two tracts of lands; and that he was in actual possession of several lots in Pensacola, on one of which he resided. Signed and sworn to before William S. Smith, Clerk of the Court of Common Pleas, whose signature and seal is accredited by the certificate of the presiding Judge, and Governor, under their respective hands and seals.

Also, a deposition of John Black, stating that he resided for some time in Pensacola, until the capture of that place by the Spaniards, and that he was well acquainted with William Marshall, who resided in his own house, situated about two lots distance from the corner of George Street, leading to Fort George; and that the said Marshall owned many tracts of land in the vicinity of Pensacola, and elsewhere in the province: and further saith, that the said William Marshall came to Charleston, with his family, where he became a citizen, and resided the remainder of his life. His family were, his son William, now dead, and his daughters Cornelia and Jane. Sworn to, certified, and authenticated. as above.

The claim of Maria Josephine Firou to the abovementioned lot No. 150, derived from Spanish title, is founded on—

A copy of a mesne conveyance from Diego Cazorla, to the claimant, passed before Governor Folch, and the assistant witnesses, Domingo Sousa, and Anastasio Mentis de Oca, on the 15th June, 1808; certified to be a true copy by Joseph E. Caro, Notary Public, and charged with the Archives, on the 12th of August, 1822. This deed

recites that said Cazorla purchased the said lot on the 15th July, 1804. held under a decree of the Real Hacienda, dated at New Orleans 2d May, 1804.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 3.

A REPORT

Of claims to a lot of ground in the City of Pensacola, No. 70, in the District of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of the heirs and legal representatives of James Sutton, to a lot, number seventy, in the city of Pensacola, is founded on—

A copy of a patent, granted by George Johnston, Esq. Captain General and Governor in chief in and over the Province of West Florida, dated the first day of October, 1765, certified to be a true copy from the British records in the General Land Office, Washington City, by Josiah Meigs, Commissioner thereof, under the seal of office.

The claim of Joseph Tapiola, derived from the Spanish Government, to half the above lot, number seventy, is founded on—

A copy of the grant, made by the Intendant Morales, countersigned by Francisco F. G. Arroyo, Secretary, dated the 7th March, 1810, to Louis Gonzales; certified to be a true copy by Joseph E. Caro, Keeper of the Public Archives.—Also, an extract from the Protocols, certified to be a true one by Joseph E. Caro, Keeper of the Public Archives, shewing that said Gonzales conveyed to Pedro Mendoza, by act of sale, dated 30th December, 1815; and that the said Mendoza conveyed to Tapiola, by act of sale, dated the 17th February, 1816.

In addition to the foregoing title papers, the said Joseph Tapiola proved by parole testimony the signatures of the Spanish officers annexed to the grant, and that the said half lot above mentioned was enclosed and a house erected upon it, in compliance with the conditions, within a year of the grant.

All which is respectfully submitted by the undersigned commissioners.

SAMUEL R. OVERTON.
JOSEPH M. WHITE.

No. 4.

A REPORT

Of claims to a lot of ground in the City of Pensacola, No. 203, in the District of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned commissioners, to wit:

The claim of Elihu Hall Bay to lot No. 203, in the City of Pensacola, is founded on—

An original patent, made by George Johnston, Esq. Captain General and Governor-in-chief of his Britannic Majesty, over the Province of West Florida, under the great seal, countersigned by Alexander M'Clelan, Deputy Prevost Secretary, to Thomas Huckstall, upon the usual conditions, dated the fourth of October, 1765. Also, an original deed of lease, and release, from the grantee to David Ross, dated the fourteenth September, 1770, recorded in due form, and certified accordingly. Also, an original confirmation patent, issued by Peter Chester, Captain General, &c. reciting the grant to Huckstall, his sale to Ross, and a sale from Ross to Elihu Hall Bay, on the 10th of October, 1778, and confirming the title to the said Elihu Hall Bay; signed, countersigned, and recorded. Also, an affidavit of Elihu Hall Bay, of the City of Charleston, South Carolina, made before Wm. S. Smith, clerk of the Court of Common Pleas, stating, that he "never, at any time since the surrender of West Florida to Spain, in the year 1781, either directly or indirectly, received any payment or consideration for any lands he ever owned or possessed in the said Province of West Florida, from the British Government, or its officers or agents;" dated at Charleston, the 5th of June, 1822; signed and sealed by Wm. S. Smith, clerk as aforesaid.

The claim of John Donaldson, derived from the Spanish Government, to half the above lot, number two hundred and three, is founded on—

An original grant, or title in form, made to Jose and Antonio de Vegas, by Intendant Morales, countersigned by Secretary Arroyo, and dated 14th April, 1810. Also, a copy of a mesne conveyance from the grantee to the claimant, passed before Governor Masot, and the assistant witnesses, Sousa and Cevallos, on the 11th of February, 1818.

Joseph E. Caro proved all the foregoing signatures.

Henry Michelet, being sworn, saith, that, in the year 1810, Jose and Antonio de Vegas enclosed lot No. 203, and built a house thereon, and farther saith not.

All which is respectfully submitted by the undersigned commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 5.

A REPORT

Of claims to a lot of ground in the City of Pensacola, number two hundred and twenty-seven, in the District of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence reported, in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned commissioners, to wit:

The claim of Elihu Hall Bay to lot number two hundred and twenty-seven, in the city of Pensacola, is founded on—

An original patent, granted to the claimant by Peter Chester, Captain General and Commander in chief in and over his Britannic Majesty's Province of West Florida, dated the ninth of June, 1769; signed and countersigned under the seal. Also, an affidavit of Elihu Hall Bay, of the city of Charleston, South Carolina, made before William S. Smith, Clerk of the Court of Common Pleas, stating, that he "never at any time since the surrender of West Florida to Spain, in the year 1781, either directly or indirectly, received any payment or consideration for any lands he ever owned or possessed in the said Province of West Florida, from the British Government, or its officers or agents;" dated at Charleston, the 5th day of June, 1822, signed and sealed by William S. Smith, as aforesaid.

The claim of Eugenio Antonio Sierra to the above lot No. 227, derived from Spanish titles, is founded on—

An original grant made by Intendant Morales, countersigned by Francisco Gutierrez de Arroyo, Secretary to Santiago Dauphin, dated 26th November, 1811. Also, a copy of a mesne conveyance from said Dauphin to Eugenio Antonio Sierra, executed before Governor San Maxent, ad interim, with the assistant witnesses, Domingo Sousa and Juan Villaverde, dated the 11th April, 1812; certified to be a true copy by said Maxent, with the same assistants, on the 8th of June, 1812.

In addition to the foregoing title papers, the said Eugenio Antonio Sierra, proved, by parole testimony, the signatures of the Spanish officers annexed to the grant, and that the said lot above mentioned was enclosed and two houses erected upon it, in compliance with the conditions, within a year of the grant.

All which is respectfully submitted by the undersigned commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 6.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 231, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned commissioners, to wit:

The claim of David McCaleb, a citizen of the United States, for himself and the heirs and legal representatives of Alexander McCullaugh, deceased, to lot No. 231, in the city of Pensacola, is founded on,

An extract from the Indices of the British records of West Florida, in the General Land Office of the United States, shewing that lot No. 231 was granted to William Marshall, on the 6th October, 1767; certified by John McLean, Commissioner of the General Land Office. Also, a certified copy of a bill of sale or deed of conveyance from Alexander McCullaugh, nephew and heir at law of Alexander, Sen. to David McCaleb, of Mississippi, of one equal half part of all the lands and lots owned by Alexander, Sen. in the former British province of West Florida, executed, acknowledged, and recorded, in Mississippi territory, dated the 5th of February, 1813; certified and authenticated in due form, from the records of Washington county, Mississippi.

Also, a deposition taken before a justice of the peace, in the city of New Orleans, William McCullaugh, who saith that Alexander McCullaugh, the owner of various lands and lots, in the former British province of West Florida, died at Pensacola, and that the father of the deponent was his heir at law, and after his death, Alexander, Jr. being the eldest son, was his heir at law; sworn and subscribed before Simeon Knight, whose signature is authenticated by a certificate of the Governor of Louisiana, under the seal of the State.

Also, a deposition of Robert Fleming, formerly of Charleston, South Carolina, taken at Philadelphia on the 4th day of March, 1823, stating that Alexander McCullaugh, Jr. frequently mentioned to him that he was the heir of his uncle Alexander, Sen. who died at Pensacola, intestate; and, that the deponent was informed by other relations of the family, of the same facts; and, that the said Alexander, Jr. shewed him divers documents duly authenticated in Ireland, proving that his father died intestate, and that he was the heir at law, or eldest son of his father William, who died intestate; that all the documents were authenticated in Ireland, with a view of his taking possession of his uncle's lands in West Florida; and that the said Alexander, as deponent verily believes, became a citizen of the United States in South Carolina, as he could not carry on business on his own account as a merchant without; that, sometime thereafter, he moved to Jacksonborough, where his house and all his papers were

consumed by fire; and that in 1803 or 1804 the said Alexander went out to Mississippi in search of his lands and lots, &c. Sworn to before Robert Wharton, Mayor of the city of Philadelphia.

Also, the deposition of Elihu Hall Bay, taken in a suit in Mississippi, and certified from the records of that court, in which he states, that Alexander McCullaugh, Sen. died at Pensacola without children, shortly after June, 1781, and that his brother, John Bay, was one of his administrators, and that he took possession of all his title papers, grants, &c. and carried them to South Carolina, and deposited them with the deponent for safe keeping, and that sometime thereafter, a young man calling himself Alexander McCullaugh arrived from Ireland, in consequence of letters written to him by the administrators of his deceased uncle, and called on deponent and informed him that his father, the brother of Alexander, Sen. had died intestate, and that he was the heir and nephew of Alexander, Sen. deceased; and, at the same time, produced certificates and testimonials, all authenticated in such a manner by competent tribunals in Ireland, as left no doubt on deponent's mind, that the said Alexander, Jr. was heir at law of Alexander Sen. in consequence of which he gave him all his uncle's grants, deeds, &c. certified in due form.

The claim of John J. Simpson to lot No. 231, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Manuel Gonzales to the claimant, passed before Governor Callava, and the assistant witnesses, Sausa and Rioboo, on the 10th of May, 1819, certified to be a true copy by the same persons on the same day. Also, an extract from the protocols, certified to be a true one by Joseph E. Caro, keeper of the public archives, which states, that Gonzales purchased the said lot with the improvements thereon, from Vincente Ignacio Ramos, by act of sale, passed before Governor Maxent and the assistant witnesses, Sausa and Villaverde, on the 2d June, 1810, which recites, that the said lot was granted to Ramos by Intendant Morales, on the 29th January, 1810, and that the improvements were made by him.

In addition to the foregoing title papers, the said John J. Simpson proves the signatures of the Spanish officers annexed to the grant.

All which is respectfully submitted by the undersigned commissioners.

SAM'L R. OVERTON,
JOS. M. WHITE.

No. 7.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 142, in the district of West Florida, by titles emanating from the British and

Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of David M·Caleb, a citizen of the United States, for himself and the heirs and legal representatives of Alexander M·Cullaugh, to lot No. 142, in the city of Pensacola, is founded on—

First. Letters patent, signed and countersigned, under the great seal of the province, granted by George Johnstone, Esq. Captain General and Commander in Chief, over his Britannic Majesty's province of West Florida, for lot No. 142, in the city of Pensacola, to Ralph Wardlaw, dated October 4th, 1765, certified to have been recorded in due form, having the usual front and depth, according to the British plan of Pensacola; an original deed of conveyance from Ralph Wardlaw, the grantee, to William Marshall, for the above lot No. 142, dated 6th November, 1765. acknowledged, recorded, and certified. Also, an original lease and release from William Marshall to Alexander M·Cullaugh for said lot. Signed, acknowledged, and recorded, dated the 18th and 19th of August, 1777.

Also, a certified copy of a bill of sale or deed of conveyance, from Alexander M·Cullaugh, nephew and heir at law of Alexander, sen. to David M·Caleb, of the state of Mississippi, of one equal half part of all the lands and lots owned by Alexander, sen. in the former British province of West Florida; executed, acknowledged, and recorded in Mississippi territory, dated the 5th of February, 1813; certified and authenticated in due form, from the records of Washington county, Mississippi.

Also, a deposition taken before a Justice of the Peace, in the city of New Orleans, of William M·Cullaugh, who saith, that Alexander M·Cullaugh, the owner of various land and lots in the former British province of West Florida, died at Pensacola; and that the father of the deponent was his heir at law; and, after his death, Alexander, jun. being the eldest son, was his heir at law. Sworn and subscribed before Simeon Knight, whose signature is authenticated by a certificate of the Governor of Louisiana, under the seal of the state.

Also, a deposition of Robert Fleming, formerly of Charleston, South Carolina, taken at Philadelphia, on the 4th day of March, 1823, stating, that Alexander M·Cullaugh, jun. frequently mentioned to him, that he was the heir of his uncle, Alexander, sen. who died at Pensacola, intestate; and that the deponent was informed by other relations of the family, of the same facts, and that the said Alexander, jun. shewed him divers documents duly authenticated in Ireland, proving that his father died intestate, and that he was the heir at law or eldest son of his father William, who died intestate; that all the documents were authenticated in Ireland, with a view of his taking possession of his uncle's lands in West Florida, and that the said Alexander, as deponent verily believes, became a citizen of the United States in South Carolina, as he could not carry on business on his own

account as a merchant without; that, sometime thereafter, he moved to Jacksonborough, where his house and all his papers were consumed by fire; and that, in 1803 or 1804, the said Alexander went out to Mississippi in search of his lands and lots, &c. Sworn to before Robert Wharton, Mayor of the city of Philadelphia.

Also, a deposition of Elihu Hall Bay, taken in a suit in Mississippi, and certified from the records of that court, in which he states that Alexander McCullaugh, sen. died at Pensacola, without children, shortly after June, 1781, and that his brother John Bay, was one of his administrators, and took possession of all his title papers, grants, &c. and carried them to South Carolina, and deposited them with the deponent for safe keeping, and that some time thereafter a young man, calling himself Alexander M^cCullaugh, arrived from Ireland, in consequence of letters written to him by the administrators of his deceased uncle, and called on deponent and informed him that his father, the brother of Alexander, sen. had died intestate, and that he was the heir and nephew of Alexander, sen. deceased, and, at the same time, produced certificates and testimonials, all authenticated in such a manner by competent tribunals in Ireland, as left no doubt on deponent's mind that the said Alexander, jun. was heir at law of Alexander, sen. in consequence of which he gave him all his uncle's grants, deeds, &c. certified in due form.

The claim of Joseph Roche to part of lot No. 142, in the city of Pensacola, derived from Spanish title, is founded on—

A copy of an act of sale at auction, made to Marcos Riera, by Francisco Paula Gelabert, Governor, in obedience to a decree of El Baron de Carondelet. Gov. General of Louisiana, dated the 5th of August, 1776. being for one lot, number 142, as the property of Zenon Balls, deceased; certified to be a true copy by Joseph E. Caro, keeper of the public archives, on the 10th day of December, 1822. Also, a copy of a mesne conveyance from Marcos Riera, to the claimant, passed before Governor Maxent; and the assistant witnesses, Sausa and Montes de Oca, on the 30th June, 1810; certified to be a true copy by the same persons on the same day.

In addition to the foregoing, the said Joseph Roche proves the signatures of the Spanish officers annexed to the title papers, and that the said lot before mentioned, was enclosed and a house erected upon it for upwards of thirty-five years.

The claim of Nielson and Randolph, to one fifth part of the above lot No. 142. derived from Spanish titles, is founded on—

A copy of mesne conveyance from William King to the claimant passed before Governor Callava, and the assistant witnesses, Domingo Sousa and Joseph E. Caro, on the 16th of February, 1820; certified to be a true copy by Joseph E. Caro, keeper of the public archives, on the 30th December, 1822. Also, an extract from the protocols, certified to be a true copy by Joseph E. Caro, keeper of the public archives, which states, that Wm. King purchased of John de la Rua, attorney in fact of James Fontenals, on the 27th of November, 1818; that James Fontenals purchased at a public sale of the estate of Marcos Riera, deceased, on the 12th of August, 1812.

NOTE.—See documentary and parole testimony, adduced in the above claim of Joseph Roche to a part of the said lot, which likewise applies to this claim.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 8.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 233, in the District of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned commissioners, to wit:

The claim of David M'Caleb, a citizen of the United States, for himself and the heirs and legal representatives of Alexander M'Cullaugh, deceased, to lot No. 233, in the city of Pensacola, is founded on—

An extract from the Indices of the British records of West Florida, now in the General Land Office, showing, that the above mentioned lot was granted to Laughlin M'Guire, on the 10th January, 1767; certified by John M'Lean, Commissioner of the General Land Office. Also, an original lease and release, signed, acknowledged, and recorded, from the grantee to Alexander Moore, dated the 10th and 11th September, 1767. Also, a deed of bargain and sale, from Alexander Moore and wife, to Alexander M'Cullaugh, dated 8th July, 1777, for the said lot.

Also, a certified copy of a bill of sale, or deed of conveyance, from Alexander M'Cullaugh, nephew and heir at law of Alexander, Sen. to David M'Caleb, of the state of Mississippi, of one equal half part of all the lands and lots owned by Alexander, Sen. in the former British Province of West Florida, executed, acknowledged, and recorded in Mississippi Territory. dated the 5th of February, 1813, certified and authenticated in due form, from the records of Washington county, Mississippi.

Also, a deposition, taken before a justice of the peace in the city of New Orleans, of Wm. M'Cullaugh, who saith, that Alexander M'Cullaugh, the owner of various lands and lots, in the former British Province of West Florida. died at Pensacola, and that the father of the deponent was his heir at law, and, after his death, Alexander, Jr. being the eldest son, was his heir at law; sworn and subscribed before Simeon Knight, whose signature is authenticated by a certificate of the Governor of Louisiana, under the seal of the state.

Also, a deposition of Robert Fleming, formerly of Charleston, South Carolina, taken at Philadelphia on the 4th day of March, 1823, stating, that Alexander M'Cullaugh, Jr. frequently mentioned to him that he was the heir of his uncle, Alexander, Sen. who died at Pensacola intestate, and that the deponent was informed by other relations of the family of the same facts, and that the said Alexander, Jr. shewed him divers documents duly authenticated in Ireland, proving that his father died intestate, and that he was the heir at law, or eldest son, of his father, William, who died intestate; that all the documents were authenticated in Ireland, with a view of his taking possession of his uncle's lands in West Florida, and that the said Alexander, as deponent verily believes, became a citizen of the United States, in South Carolina, as he could not carry on business on his own account as a merchant, without; that sometime thereafter he moved to Jacksonborough, where his house and all his papers were consumed by fire, and that in 1803 or 1804, the said Alexander went out to Mississippi in search of his lands and lots, &c. Sworn to before Robert Wharton, Mayor of the city of Philadelphia.

Also, a deposition of Elihu Hall Bay, taken in a suit in Mississippi, and certified from the records of that Court, in which he states, that Alexander M'Cullaugh, Sen. died at Pensacola without children, shortly after June, 1781, and that his brother, John Bay, was one of his administrators, and took possession of all his title papers, grants, &c. and carried them to South Carolina, and deposited them with the deponent for safe keeping; and that some time thereafter a young man calling himself Alexander M'Cullaugh, arrived from Ireland, in consequence of letters written to him by the administrators of his deceased uncle, and called on deponent and informed him that his father, the brother of Alexander, Sen. had died intestate, and that he was the heir and nephew of Alexander, Sen. deceased, and at the same time produced certificates and testimonials, all authenticated in such a manner by competent tribunals in Ireland, as left no doubt on deponent's mind that the said Alexander, Jr. was heir at law of Alexander, Sen. in consequence of which he gave him all his uncle's grants, deeds, &c.—Certified in due form.

The claim of Mariana Bonifay to lot No. 233, in the city of Pensacola, derived from Spanish title, is founded on—

An original grant to John B. Aleck, made by the Intendant Morales, countersigned by F. G. Arroyo, Secretary, and dated the 9th of May, 1810. Also, a copy of a mesne conveyance from the grantee to the present claimant, executed before Wm. King, temporary Governor, and James Scallan, Secretary, on the 17th June, 1818, certified to be a true copy by said King and Scallan.

In addition to the foregoing title papers, the said Mariana Bonifay proved, by parole testimony, the signatures of the Spanish officers annexed to the grant, and that the said lot above mentioned was enclosed, and a house erected upon it, in compliance with the conditions, within a year of the grant.

All of which is respectfully submitted by the undersigned Commissioners.

SAM'L R. OVERTON,
JOS. M. WHITE.

No. 9.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 157, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of David M^cCaleb, a citizen of the United States, for himself and the heirs and legal representatives of Alexander M^cCullaugh, deceased, to lot, No. 157, in the city of Pensacola, is founded on:

A deed poll from Alexander M^cCullaugh, deputy provost marshal, to Thomas Underwood, dated 31st of March, 1774, reciting that the lot was granted to James Cavanaugh, and sold to satisfy a judgment against him. Also, an original deed of lease and release, from Thomas Underwood to Alexander M^cCullaugh, dated the 16th and 17th of January, 1775: acknowledged, recorded, and certified.

Also, a certified copy of a bill of sale, or deed of conveyance, from Alexander M^cCullaugh, nephew and heir at law of Alexander, sen. to David M^cCaleb, of the state of Mississippi, of one equal half part of all the lands and lots owned by Alexander, sen. in the former British province of West Florida, executed, acknowledged, and recorded in Mississippi territory, dated the 5th of February, one thousand eight hundred and thirteen: certified and authenticated in due form, from the records of Washington county, Mississippi.

Also, a deposition, taken before a justice of the peace, in the city of New Orleans, of William M^cCullaugh, who saith that Alexander M^cCullaugh, the owner of various lands and lots, in the former British province of West Florida, died at Pensacola, and that the father of this deponent was his heir at law, and after his death, Alexander, jr. being the eldest son, was his heir at law. Sworn and subscribed before Simeon Knight, whose signature is authenticated by a certificate of the Governor of Louisiana, under the seal of the state.

Also, a deposition of Robert Fleming, formerly of Charleston, South Carolina, taken at Philadelphia, on the 4th day of March, 1823, stating, that Alexander M^cCullaugh, jr. frequently mentioned to him that he was the heir of his uncle Alexander, sen. who died at Pensacola, intestate, and that the deponent was informed by other relations of the family of the same facts, and that the said Alexander, jr. shewed him divers documents, duly authenticated in Ireland, proving that his father died intestate, and that he was the heir at law, or eldest son of his father William, who died intestate; that all the documents were authenticated in Ireland, with a view of his taking possession of his uncle's lands in West Florida; and that the said Alexander, as deponent verily believes, became a citizen of the United States in South Carolina, as he could not carry on business on his own account, as a

merchant, without; that some time thereafter, he moved to Jacksonborough, where his house and all his papers were consumed by fire; and that, in 1803 or 1804, the said Alexander went out to Mississippi in search of his lands and lots, &c. Sworn to before Robert Wharton, Mayor of the city of Philadelphia.

Also, a deposition of Elihu Hall Bay, taken in a suit in Mississippi, and certified from the records of that court, in which he states that Alex. M'Cullaugh, sen. died at Pensacola, without children, shortly after June, 1781; and that his brother, John Bay, was one of his administrators, and took possession of all his title papers, grants, &c. and carried them to South Carolina, and deposited them with the deponent for safe keeping; and that, some time thereafter, a young man calling himself Alexander M'Cullaugh, arrived from Ireland, in consequence of letters written to him by the administrators of his deceased uncle, and called on deponent and informed him, that his father, the brother of Alexander, sen. had died intestate, and that he was the heir and nephew of Alexander, sen. deceased; and at the same time produced certificates and testimonials, all authenticated in such a manner by competent tribunals in Ireland, as left no doubt on deponent's mind that the said Alexander, jun. was heir at law of Alexander, sen. in consequence of which, he gave him all his uncle's grants, deeds, &c. Certified in due form.

The claim of H. H. B. Hays and John Duncan, to the eastern half of lot No. 157, derived from Spanish title, is founded on—

A copy of a mesne conveyance from Jose Maura, Attorney in fact of Elena Gayarra, to the claimants, passed before Governor Calava, countersigned by Domingo Sousa and Joseph E. Caro, assistant witnesses, dated 20th March, 1820. Also, an extract from the protocols, certified to be a true one by Joseph E. Caro, keeper of the public archives, showing that Elena Gayarra, purchased from Juan Galguera, on the 1st June, 1810. Also, was produced by Joseph E. Caro, keeper of the public archives, an original grant, or title in form, made to Galguera by the Intendant Morales, countersigned by Gutierrez de Arroyo, Secretary: dated 20th of February, 1810.

In addition to the foregoing title papers, the said H. H. B. Hays and John Duncan, proved, by parole testimony, the signatures of the Spanish officers annexed to the grant, and that the said lot above-mentioned was enclosed, and a house erected upon it, in compliance with the conditions, within a year of the grant.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 10.

A REPORT

Of claims to four lots of ground in the city of Pensacola, Nos. 96, 230, 265, and 266, in the District of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned commissioners, to wit:

The claim of David M'Caleb, a citizen of the United States, for himself, and the heirs and legal representatives of Alexander M'Cullaugh, deceased, to lots Nos. 96, 230, 265, and 266, in the city of Pensacola, is founded on—

An extract from the indices of the British records of West Florida, in the General Land Office of the United States, certified by John M'Lean, Commissioner thereof, showing, that lots Nos. 96, 230, 265, and 266, were granted by letters patent from the British Government to Montford Browne. Also, an original lease and release from the grantee to Alexander M'Cullaugh, dated the 2d and 3d of November, 1775, for the said lots, acknowledged, recorded, and certified.

Also, a certified copy of a bill of sale, or deed of conveyance, from Alexander M'Cullaugh, nephew and heir at law of Alexander, Sen. to David M'Caleb of the state of Mississippi, of one equal half part of all the lands and lots owned by Alexander, Sen. in the former British Province of West Florida, executed, acknowledged, and recorded in Mississippi territory, dated the 5th of February, 1813; certified and authenticated in due form, from the records of Washington county, Mississippi.

Also, a deposition, taken before a justice of the peace in the city of New Orleans, of William M'Cullaugh, who saith, that Alexander M'Cullaugh, the owner of various lands and lots in the former British Province of West Florida, died at Pensacola, and that the father of the deponent was his heir at law; and, after his death, Alexander, Jr. being the eldest son, was his heir at law; sworn and subscribed before Simeon Knight, whose signature is authenticated by a certificate of the Governor of Louisiana, under the seal of the state.

Also, a deposition of Robert Fleming, formerly of Charleston, South Carolina, taken at Philadelphia on the 4th day of March, 1823, stating, that Alexander M'Cullaugh, Jr. frequently mentioned to him that he was the heir of his uncle, Alexander, Sen. who died at Pensacola intestate, and that the deponent was informed by other relations of the family, of the same facts, and that the said Alexander, Jr. showed him divers documents duly authenticated in Ireland, proving that his father died intestate, and that he was the heir at law, or eldest son, of his father William, who died intestate; that all the documents were authenticated in Ireland, with a view of his taking possession of his uncle's lands in West Florida, and that the said Alex-

ander, as deponent verily believes, became a citizen of the United States, in the state of South Carolina, as he could not carry on business on his own account, as a merchant, without; that sometime thereafter he removed to Jacksonborough, where his house and all his papers were consumed by fire, and that, in 1803 or 1804, the said Alexander went out to Mississippi in search of his lands and lots, &c. Sworn to before Robert Wharton, Mayor of the city of Philadelphia.

Also, a deposition of Elihu Hall Bay, taken in a suit in Mississippi, and certified from the records of that Court, in which he states, that Alexander M'Cullaugh, Sen. died at Pensacola without children, shortly after June, 1781, and that his brother, John Bay, was one of his administrators, and took possession of all his title papers, grants, &c. and carried them to South Carolina, and deposited them with the deponent for safe keeping; and that sometime thereafter a young man, calling himself Alexander M'Cullaugh, arrived from Ireland, in consequence of letters written to him by the administrators of his deceased uncle, and called on deponent, and informed him that his father, the brother of Alexander, Sen. had died intestate, and that he was the heir and nephew of Alexander, Sen. deceased; and at the same time, produced certificates and testimonials, all authenticated in such a manner, by competent tribunals in Ireland, as left no doubt on deponent's mind that the said Alexander, Jr. was heir at law of Alexander, Sen. in consequence of which he gave him all his uncle's grants, deeds, &c.—Certified in due form

The claim of Joseph Maria Mesa to the western half of lot No. 96, in the city of Pensacola, derived from Spanish titles, is founded on—

An original decree of concession, made to the claimant by John Ventura Morales, Intendant General, countersigned by John Morales and Vicente Ignacio Ramos, assistant witnesses, dated 21st of May, 1812.

Also, an original certificate of survey, executed and returned by Vicente Sebastian Pintado, Surveyor General, dated 7th of July, 1812, reciting, that, in obedience to the foregoing decree, he surveyed and measured for the claimant, the western half of lot No. 96, situated on Cuna street, containing forty feet front on said street, by 170 feet depth.

In addition to the foregoing title papers, the said claimant proved, by parole testimony, the authenticity of the title papers; that he enclosed the half of lot No. 96 soon after he obtained the grant, and that he built a frame house thereon about the end of the year 1812.

The claim of Antonio Montero to lot No. 230, in the city of Pensacola, derived from Spanish titles, is founded on—

An original grant from the Intendant Morales, countersigned by F. G. Arroyo, Secretary, made to Antonio Montero, and bearing date the 26th of February, 1810.

In addition to the foregoing title papers, the said Antonio Montero proves, by parole testimony, the signatures of the Spanish officers annexed to the grant, and that the said lot above mentioned was enclosed,

and a house erected upon it in compliance with the conditions, within a year of the grant.

The claim of Eugenio Antonio Sierra to lot No. 265, in the city of Pensacola, derived from a Spanish title, is founded on

An original grant, made by the Intendant Morales, countersigned by Secretary Arroyo, to Andres Cadet, dated the 24th of March, 1812. Also, a copy of a mesne conveyance from said Cadet to E. A. Sierra, passed before San Maxent, Governor ad interim, and the assistant witnesses, Domingo Sausa and Juan Villaverde, on the 12th of April, 1812, certified on the same day to be a true copy, by said Maxent, and the same assistants.

In addition to the foregoing title papers, the said Eugenio Antonio Sierra, proves, by parole testimony, the signatures of the Spanish officers annexed to the grant; and that the said lot above mentioned was enclosed, and a house erected upon it, in compliance with the conditions, within a year of the grant.

The claim of Charles de Grand Pre, to lot No. 266, in the city of Pensacola, derived from Spanish title, is founded on—

An original grant, or title in form, made to the claimant by the Intendant Morales, countersigned by F. G. Arroyo, Secretary, and dated the 24th March, 1812.

In addition to the foregoing, the said Charles de Grand Pre proves, by parole testimony, the signatures of the Spanish officers annexed to the grant, and that the said lot abovementioned, was enclosed within a year after it was granted to him, but never built on in consequence of its marshy situation.

All of which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

A REPORT

Of claims to a tract of land, containing eight hundred arpens, situated forty-seven perches to the south of the suburb of the city of Pensacola, bounded with Galvez Spring, in the district of West Florida, claimed in part by titles emanating from the British Government, and in toto by a claim emanating from the Spanish Government, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th. 1822, entitled "An act for ascertaining claims and titles to land within the territory of Florida," by the undersigned Commissioners, to wit:

The claim of Theodore Galliard, Cornelia his wife, formerly Cornelia Marshall, and Jane Marshall, citizens of the United States, to two hundred and fifty acres of land, derived from the British Government, is founded on—

A plat and certificate of survey, made by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from Montfort Browne, Esq. Lieutenant Governor of his Britannic Majesty's province aforesaid; certified on the 28th of August, 1768.

Also, an original patent, under the great seal, granted by the said Montfort Browne to William Marshall, for the said land, on the usual conditions, dated the 15th of December, 1768: signed, countersigned, and recorded.

Also, a certified copy of a deed of trust of William Marshall, sen. of all the lands, &c. son of the aforesaid William, to Theodore Galliard, and for the benefit of Cornelia his wife, and Jane Marshall, to which the said William was entitled in the province of West Florida, and upon trust and condition therein enumerated and expressed, dated the 2d of November, 1803, with a schedule of the lands and lots thereunto annexed: certified to be a true copy by Charles S. Tucker, Register, whose signature is authenticated by a certificate of the Governor and Secretary of South Carolina, under the great seal, dated 19th September, 1822.

Also, a deposition of Elibu Hall Bay, duly certified and authenticated, stating that William Marshall, sen. was a staff officer in the British ordnance department, and resided in Pensacola, until the province was surrendered to Spain; that, during this period, he had various grants of lands made to him by the different British Governors; that the deponent was well acquainted with William Marshall and his affairs, and about the year 1781 or 1782, he left Pensacola, and went to South Carolina and settled himself in the city of Charleston, and soon after became a citizen of said state; that the said William died several years afterwards, leaving a son named William, one of the judges of the state, who died some years ago, leaving two daughters, Cornelia, wife of Theodore Galliard, and Jane Marshall; that William Marshall, sen. had a number of negroes in West Florida, and cultivated two tracts of land, and that he was in actual pos-

session of several lots in Pensacola, on one of which he resided. Signed and sworn to before William S. Smith, Clerk of the Court of Common Pleas, whose signature and seal is accredited by the certificate of the presiding Judge and Governor of South Carolina, under their respective hands and seals.

Also, a deposition of John Black, stating that he resided some time in Pensacola until the capture of that place by the Spaniards, and that he was well acquainted with William Marshall, who resided in his own house, situated about two lots distant from the corner of George street, leading to Fort George, and that the said Marshall owned many tracts of land in the vicinity of Pensacola, and elsewhere in the province; and further saith, that the said William Marshall came to Charleston with his family, where he became a citizen, and resided the remainder of his life; his family were, his son William, now dead, and his daughters Cornelia and Jane. Sworn to, certified, and authenticated as above.

The claim of William King, derived from the Spanish Government, to 800 arpens of land, situated about 47 perches to the south of the suburb of the city of Pensacola, bounded with San Maxent's tract of land, and north with Galvez Spring, is founded on the following title papers and testimony, exhibited in support thereof, to wit:

A copy of a plat and an original certificate, made by Vicente Sebastian Pintado, Surveyor General, dated Havana, 3d December, 1819, stating that the annexed plat is a true copy from the original attached to the original proceedings instituted by Thomas P. Rioboo, on the 8th of October, 1819; and by a decree of the Intendant and Superintendent General of Havana, dated 26th of November last, an authenticated copy of the following proceedings were granted to said Rioboo; signed and sealed as above.

Also, a copy of a certificate signed by Carlos Reggio, Pedro Reggio, Jose Noriega, Lewis Daunoy, and Santiago Dauphine, dated Pensacola, 2d of August, 1819, proving that Thomas P. Rioboo cultivated a tract of land at the place known by Galvez Spring. Signed and dated as above.

Also, a copy of a petition signed by Rioboo, dated Havana, 8th of October, 1819, addressed to the Intendant and Superintendent General, setting forth, that on the 13th of September, 1806, Don Juan Ventura Morales, Intendant of the province of West Florida, ordered that a tract of land of 800 arpens, situated at Galvez Spring, should be surveyed and measured for Gregoria Artacho, having petitioned for the same, and afterwards conveyed to your petitioner, praying that by the Surveyor General, Vincent Sebastian Pintado, a certified copy of the said grant, or of the title in form, should be given to him.

Also, a copy of a decree of the Intendant General, dated Havana, 9th of October, 1819, referring the proceedings to the Fiscal.

Also, a copy of the Fiscal's opinion, dated Havana, 16th of October, 1819, stating that the proceedings be referred to the Surveyor General, Vicente Sebastian Pintado, to report according to the solicitude of the petitioner.

Also, a copy of a decree by the Intendant General; dated Havana, 16th of October, 1819. stating that. in conformity with the Fiscal's opinion, let the proceedings be referred to the Surveyor General, Vicente Sebastian Pintado, for the report so required.

Also, a copy of a report made by Vicente Sebastian Pintado. Surveyor General, dated Havana, 29th of October, 1819, in obedience to the foregoing decree. stating that, by decree of the Intendant of the province of West Florida. dated 13th of September, 1806, there was granted and surveyed for Gregoria Artacho. a tract of land, situated in the contiguities of the town of Pensacola, containing twenty arpens front, by forty in depth, at Galvez Spring, which original grant for the said land I have delivered at the Secretary's office, on the 29th of March last. Signed and dated as above.

Also, a copy of the Fiscal's opinion, dated Havana. 26th of November. 1819. stating, that, by reference to the report of the Surveyor General. Vicente S. Pintado, and other documents hereunto annexed, it is proved that the concession of 800 arpens of land, made in the year 1806, by the Intendant to Don Gregario Artacho. (now the property of Thomas P. Rioboo,) is a lawful one, as made in time qualified for, and by competent authority; in consequence of which he is of opinion, that the said Rioboo can maintain the possession of the said land, in virtue of the above statement, and the loss of the original title papers, without interfering with a third person. (Signed) Figuero.

Also, a copy of a decree by the Intendant General, dated Havana, 26th November, 1819, ordering that an authenticated copy of the proceedings be granted to the petitioner: certified to be a true copy by Jose Noy, Secretary of the Royal Hacienda, dated 3d of December, 1819. The signature of Jose Noy is accredited by Francisco Ayala, Manuel de la Torre. and Mauricio Parras Pita, Notaries Public of the city of Havana, dated 3d December, 1819.

Also, a copy of a mesne conveyance from Thomas P. Rioboo to the claimant, passed before William King, Governor. ad interim, countersigned by Miguel M. Kinsee, dated 28th November, 1818, certified to be a true copy by Governor Callava, countersigned by Domingo Sausa and Thomas P. Rioboo, on the 5th of April, 1819.

In addition to the foregoing title papers, the said William King proved, by parole testimony, that Gregoria Artacho settled upon the above tract of land in the year 1806; that there were two small houses, and about six arpens cleared and enclosed; that he continued the cultivation about three or four years, and obtained the said tract of land by a grant of Morales.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No 12.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 101, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, curator of his minor sons, Gustave and Prospere Marigny, Henry M'Call, acting for and in behalf of his wife, Lise M'Call, citizens of the United States, to lot No. 101, and the corresponding garden lot, in the city of Pensacola, is founded on—

A certificate of survey, executed by Elias Durnford, Surveyor General, pursuant to a warrant from his Excellency George Johnstone, Esq. Governor and Commander in Chief in and over his Britannic Majesty's province of West Florida, bearing date 24th of May, 1766, setting forth, that he measured and laid out for Evan Jones, Esq. lot No. 101, in the town of Pensacola, 80 feet front by 340 in depth, with the corresponding garden lot; certified on the 10th of November, 1766.

Also, an original patent, granted to Evan Jones, Esq. by Montfort Brown, Esq. Lieutenant Governor in and over his Britannic Majesty's province of West Florida, under the great seal; signed and certified by Alexander Maclellan, Deputy Provost Secretary, dated 18th of December, 1766, upon the usual conditions.

Also, a deposition of Thomas and David Urquhart, stating, that they were acquainted with both Evan and James Jones, who formerly resided in West Florida, while the same was a British province; that they were brothers; that James Jones died first, and that Evan became his heir. Deponents further say, that they knew that Evan Jones is now also deceased; that said Evan Jones had two daughters, Maria and Lise; that the former was married to Bernard Marigny, of New Orleans, by whom she had two sons, Gustave and Prospere, and that she is now deceased, leaving said two sons; that the second daughter, (Lise,) of said Evan Jones, is now the wife of Henry McCall, of the state of Louisiana; sworn to and subscribed before L. M. Paney, Justice of the Peace; dated New Orleans, 11th August, 1824, whose signature is accredited by Thomas Bolling Robertson, Governor of the state of Louisiana, under the seal of the state; dated 12th August, 1824.

The claim of John Chabeaux to the abovementioned lot, No. 101, derived from Spanish title, is founded on—

An original grant, or title in form, made to Eufrosina Hinard, by Governor Masot, countersigned by the assistant witnesses, Sausa and Cevallos, and dated the 6th December, 1817.

Also, a copy of a mesne conveyance from Cirilo de Morant to the claimant; passed before Governor Masot, and the assistant witnesses, Sausa and Cevallos, on the 10th March 1818; certified to be a true copy by Joseph E. Caro, keeper of the public archives, on the 7th April, 1823; which deed recites, that Morant purchased of Eufrosina Hinard

In addition to the foregoing title papers, the said John Chabeaux proved, by parole testimony, the signatures of the Spanish officers annexed to the grant; and that the said lot abovementioned was enclosed and had a house erected upon it, in compliance with the conditions, within a year of the grant.

All which is respectfully submitted by the undersigned Commissioners.

SAM'L R. OVERTON.
JOSEPH M. WHITE.

No. 13.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 43, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, Curator of his minor sons, Gustave and Prospere Marigny, Henry M'Call, acting for and in behalf of his wife, Lise M'Call, citizens of the United States, to lot No. 43, and the corresponding garden lot, in the city of Pensacola, is founded on—

A certificate of survey, made by Elias Durnford, Surveyor General, pursuant to a warrant from his honor Montfort Brown, Esq. Lieutenant Governor, and Commander in Chief, in and over his Britannic Majesty's province of West Florida, bearing date 23d day of December, 1767, stating, that he surveyed, for Alexander Carlisle, a town lot, No. 43, with the corresponding garden lot, having the usual front and depth, certified on the 12th of January, 1768.

Also, an original patent granted to Alexander Carlisle, by Montfort Brown, Esq. Lieutenant Governor, and Commander in Chief, in and over his Britannic Majesty's province of West Florida, under the great seal; signed and certified by Daniel Clark, Deputy Provost Secretary, dated 26th day of January, 1768, upon the usual conditions.

NOTE. See Thomas and David Urquhart's deposition, which likewise applies to this claim, in report No. 12.

The claim of Manuel Joseph Penalbert, to the above mentioned lot No. 43, in the city of Pensacola, derived from Spanish title is founded on—

A copy of an act of sale, from Augustin Ruiz, to the claimant, executed before Governor San Maxent, on the 27th day of February, 1808; certified to be a true copy, by Enrique de Grand Pre, Constitutional Alcalde.

In addition to the foregoing title paper, the said Manuel Joseph Penalbert, proved, by parole testimony, the signatures of the Spanish officers annexed to the title paper; and that in the year 1806, there was a small framed house and enclosure on said lot; that a large house was erected on it in 1807; that the said lot has been viewed as private property ever since, and was occupied by said Penalbert, and further saith not.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 14.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 85, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of an act of Congress, approved May the 8th. 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, Curator of his minor sons, Gustave and Prospere Marigny. Henry M'Call, acting for and in behalf of his wife Lise M'Call, citizens of the United States, to lot No. 85, and the corresponding garden lot, in the city of Pensacola, is founded on—

A certificate of survey made by Elias Durnford, Surveyor General, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General and Governor in Chief, in and over his Britannic Majesty's province of West Florida, bearing date 6th of June, 1765, reciting, that he surveyed and laid out, for Richard Payne, lot No. 85, in the town of Pensacola, with the corresponding garden lot, having the usual front and depth, certified on the 19th August, 1765.

Also, an original patent, granted to Richard Payne, by George Johnstone, Esq. Captain General, and Governor in Chief, in and over his Britannic Majesty's Province of West Florida, under the great seal; signed and certified by Alexander Maclellan, Deputy Provost Secretary; dated 26th day of September, 1765, upon the usual conditions.

NOTE. See Thomas and David Urquhart's deposition, which likewise applies to this claim, in report No. 12.

The claim of Joseph Noriega to the abovementioned lot, No. 85, derived from Spanish title, is founded on—

A copy of a mesne conveyance, from Louis Christian, Attorney in fact for John Joyce, executor of Daniel Ward, to Jose' Noriega, sen. executed before Governor White, and the assistant witnesses, Benigno Garcia Calderon and Francisco Canedo; dated the 21st of January, 1795; certified to be a true copy by Governor White, the same assistants, and on the same day.

Eugenio Lavalle being sworn, saith, that he has known lot No. 85 ever since the year 1781; that there was a framed house and other improvements then on it; that it has been considered private property ever since he knew it, and further saith not.

Henry Michelet being sworn, saith, that lot No. 85, has been respected as the property of Joseph Noriega ever since he first came to this place, seventeen years ago; that the family of Noriega has lived upon it since that period; that the improvements consist of a large framed dwelling house, kitchen, &c. and further saith not.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 15.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 198, and the corresponding garden lot, in the District of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, curator of his minor sons, Gustave and Prosper Marigny, Henry M'Call, acting for and in behalf of his wife Lise M'Call, citizens of the United States, to lot No. 198, in the city of Pensacola, and to corresponding garden lot, is founded on—

A certificate of survey, made by Elias Durnford, Surveyor General, pursuant to a warrant from his excellency George Johnstone, Esq. Governor and Commander in Chief, in and over his Britannic Majesty's province of West Florida, bearing date the 21st of January, 1766, setting forth that he surveyed and laid out for Wm. Litch, a town lot, No. 198, with the corresponding garden lot, having the usual depth and front: certified on the 14th of February, 1766.

Also, an original patent granted to William Litch by George Johnstone, Esq. Governor and Commander in Chief, in and over his Majesty's province of West Florida, under the great seal: signed and certified by Alexander Maclellan, Deputy Provost Secretary, dated 2d of September, 1766, upon the usual conditions.

NOTE.—See Thomas and David Urquhart's deposition, which likewise applies to this claim, in Report, No. 12.

The claim of John H. Howard to a part of the above lot, being fifty feet fronting on Palafox street, derived from Spanish title, is founded on—

A copy of a mesne conveyance from Charles Barron, attorney in fact of Alexander Barron, to William Devrewx, agent of John H. Howard, passed before Governor Callava, and the assistant witnesses, Sausa and Joseph E. Caro, on the 2d of November, 1819: certified to be a true copy by Joseph E. Caro, Keeper of the Public Archives, on the 16th of October, 1823.

Also, an extract from the protocols, certified to be a true one by Joseph E. Caro, Keeper of the Public Archives, which states, that Alexander Baron purchased of John de la Rua and Margarita Bonifay, on the 15th July, 1818; that La Rua and Bonifay, obtained the said lot by deed of gift from Mariana Bonifay, on the 28th of February, 1811; that Mariana Bonifay purchased of Manuel on the 21st of January, 1811; that Manuel Bonifay purchased of Manuel Gonzales, on the 15th of February, 1806; that Gonzales purchased the whole of said lot of William Welber, on the 28th of August, 1802; that Welber purchased of Gerald Byrnes by an act of sale, dated the 1st of February, 1799. This deed recites, that the said lot was granted to the said Byrnes on the 22d August, 1796.

The claim of John H. Howard to a part of the same lot, No. 198, being forty feet front on Palafox street, and 80 deep on Romana street, is founded on—

A copy of a mesne conveyance from John Brosnahan to William Devrewx, agent of John H. Howard, passed before Governor Callava, and the assistant witnesses, Sausa and Joseph E. Caro, on the 2d of November, 1819: certified to a true copy by Joseph E. Caro, Keeper of the Public Archives, on the 15th October, 1823.

Also, an extract from the protocols, certified to be a true one, by Joseph E. Caro, Keeper of the Public Archives, which states, that Brosnahan purchased at public sale, of the property of Augustine Lavack, on the 16th of September, 1819; that Lavack purchased of Mary Weaver, on the 12th March, 1817; that Mary Weaver purchased of Manuel Gonzales, on the 19th of July, 1806; that Gonzales purchased of William Welber, on the 28th of August, 1802; that Welber purchased of Gerald Byrnes, by an act of sale, dated the 1st February, 1799, which recites, that the said lot was granted to the said Byrnes on the 22d August, 1796.

In addition to the foregoing title papers, the said John H. Howard proved, by parole testimony, the signatures of the Spanish officers annexed to the title papers; and that there was a house and other im-

provements on lot No. 198, thirty-two years ago, which were occupied by an Englishman, who afterwards sold the same to Manuel Gonzales, who maintained possession of the said lot until he sold out to others.

The claim of Pedro Yniestra to a part of lot No. 198, being 85 feet front on Palafox street, is founded on—

A copy of a mesne conveyance from Manuel Gonzales to the claimant, passed before Richard I. Easter, acting Alcalde, countersigned by Joseph E. Caro, and dated 22d May, 1822: certified to be a true copy by the same persons on the same day; this deed recites, that Manuel Gonzales purchased of William Welber, on the 22d August, 1802.

NOTE.—See parole testimony adduced in support of the claim of John H. Howard, which likewise applies to this claim.

All which is respectfully submitted by the undersigned Commissioners.

SAM'L R. OVERTON,
JOSEPH M. WHITE,

No. 16.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 89, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th. 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, Curator of his minor sons, Gustave and Prosper Marigny, Henry McCall, acting for and in behalf of his wife Lise McCall, citizens of the United States, to lot No. 89, and the corresponding garden lot, in the city of Pensacola, is founded on—

An original deed of lease and release, from Robert Collins to David Waugh, for one half of the town lot, No. 89, and the half of the corresponding garden lot, signed, sealed, and delivered on the 18th day of December, 1766.

Also, an original deed of lease and release, from David Waugh to William Morrison, for the same halves of the town and garden lots; signed, sealed, and delivered on the 18th of December, 1766.

Also, an original deed of lease and release, from William Morrison to Evan and James Jones, for the abovementioned halves of the town and garden lots; signed, sealed, and recorded on the 18th day of December, 1766.

Also, an original deed of lease and release, from Peter Thompson to Robert Collins, for the halves of the town and garden lots, No. 89; dated the 26th of November, 1766; signed, sealed, and delivered.

Also, an original deed of lease and release, from Robert Collins to Evan and James Jones, and Joseph Blackwell for the other halves;

dated 11th and 12th of July, 1768; signed, sealed, and recorded in due form.

NOTE. See Thomas and David Urquhart's deposition, which likewise applies to this claim, in report No. 12.

The claim of Eugenio Antonio Sierra to the above mentioned lot No. 89, derived from Spanish title, is founded on—

A copy of a bill of sale, executed by Governor Folch, and the assistant witnesses, Matias Cervera, and Francisco Xavier Naverro, dated 9th July, 1804; in which he states, that the above lot was sold on the 14th of June, same year, in obedience to a decree of the Royal Treasury, passed at New Orleans, 2d of May, 1804, and was bidden off to Don Sierra, for the sum of \$ 330; certified to be a true copy by Governor Folch, and the assistant witnesses, on the 9th of July, 1804.

In addition to the foregoing title papers, the said Eugenio Antonio Sierra, proved, by parole testimony, the signatures of the Spanish officers annexed to the grant.

All which is respectfully submitted by the undersigned commissioners.

SAMUEL R. OVERTON.
JOSEPH M. WHITE.

No. 17.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 22, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, curator of his minor sons, Gustave and Prospere Marigny, Henry M. Call, acting for and in behalf of his wife, Lise M. Call, citizens of the United States, to lot No. 22, and the corresponding garden lot, in the city of Pensacola, is founded on—

An original deed of lease and release, from William Aird, to Evan and James Jones, and Joseph Blackwell, dated 12th and 13th Aug. 1768: signed, sealed, delivered, and recorded, in due form.

NOTE.—See Thomas and David Urquhart's deposition, which likewise applies to this claim, in Report No. 12.

The claim of Eugenio Antonio Sierra to part of the above mentioned lot, No. 22, derived from Spanish title, is founded on—

A copy of a mesne conveyance from Pedro Enrique to Eugenio Antonio Sierra, executed before Governor Folch, and the assistant witnesses, Matias Cervera and Francisco Xavier Navarro, dated 19th

of July, 1804; certified to be a true copy by Carlos Hernandez, Secretary of War, and acting as Governor pro tem. on the 12th February, 1807. This deed recites the original grant, dated 14th July, 1804, and that the grantor purchased the said lot at auction on the same day, ordered by a decree of the Royal Treasury, passed at New Orleans. 2d of May, 1804.

In addition to the foregoing title papers, the said Sierra proved, by parole testimony, the signatures of the Spanish officers annexed to the said grant.

The claim of Turner Starke to a part of the abovementioned lot No. 22, being 26 feet fronting on the Bay, derived from Spanish title, is founded on—

A copy of a mesne conveyance from Charles Deville to the claimant, acknowledged before William King, Colonel of the 4th regiment of infantry, Civil and Military Governor of West Florida, countersigned by James Scallen, Secretary, on the 3d of July, 1818: certified to be a true copy by Joseph E. Caro, Keeper of the Public Archives, on the 30th of December, 1822.

John de la Rúa, being sworn, saith, that he has seen the papers relative to the title of said piece of ground, amongst which was a grant to Charles Deville, made to him by Governor Folch; that Deville improved the same, and occupied it in the year 1807, and from that time until 1811; and further saith, that the grant included lot No. 21, and 26 feet of lot No. 22; and further saith not.

Eugenio Antonio Sierra, being sworn, saith, that the said part of the lot was granted to Charles Deville by Governor Folch, in the year 1805; and that the said Deville did not comply with the conditions of the grant, and further saith not.

The claim of Joseph Gagnet to part of the abovementioned lot No. 22, in the city of Pensacola fronting 54 feet on the Bay, by 63 feet in depth, derived from Spanish title, is founded on—

An original mesne conveyance, from Widow Gagnet to the claimant acknowledged before John Miller, Clerk of the County Court for the county of Escambia, dated 2d of August, 1824.

Also, an extract from the protocols, certified to be a true one by Joseph E. Caro, Keeper of the Public Archives, shewing, that Widow Gagnet purchased from Eugenio Lavallo, on the 5th of July, 1821; that Lavallo inherited the above lot from Pedro Bordenave, deceased, on the 23d of July, 1806: that Bordenave purchased from John Tourson, by act of sale passed before Governor Folch, countersigned by Matias Cervera and Francisco Xavier Navarro, assistant witnesses, on the 13th of February, 1806; this deed recites, that the above lot was granted to Tourson, by Governor Folch, on the 18th July, 1804.

Eugenio Lavallo, being duly sworn, saith, that lot No. 22, was granted to John Tourson, by Governor Folch, in the year 1804; and that the said Tourson enclosed the said lot, and built a frame house thereon, within the year of the grant; and further saith not.

All which is respectfully submitted by the undersigned commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 18.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 39, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, Curator of his minor sons. Gustave and Prospere Marigny, Henry M^cCall, acting for in behalf of his wife Lise M^cCall, citizens of the United States, to lot No. 39, in the city of Pensacola, and the corresponding garden lot, is founded on—

An original deed of release from the Hon. James Jones, Esq. surviving executor of Anthony Forehand, deceased, Abraham Bates and Anne his wife, late Anne Griffiths, executrix of the said Anthony Forehand, to the Honorable James Bruce, for the town and garden lots No. 39, dated 9th of November, 1773: signed, sealed, and acknowledged, in due form, before Alexander Macculagh, Deputy Secretary, on the 20th of November, 1773.

Also, an original reconveyance from James Bruce, and Isabella his wife, to James Jones, Abraham Bates, and Anne his wife, for the same town and garden lots, dated — day of —, 1775; signed, sealed, and delivered.

NOTE.—See Thomas and David Urquhart's deposition, which likewise applies to this claim, in Report No. 12.

The claim of Solomon Siler to the abovementioned lot No. 39, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Cirilo Lessassier, to the claimant, passed before William King, Colonel 4th regiment United States' infantry, Civil and Military Governor of West Florida, and James Scallen, Secretary, on the 22d June, 1818; certified to be a true copy by the same persons, on the 23d June, 1818.

Also, was produced by Joseph E. Caro, Keeper of the Public Archives, an original grant, or title in form, made to Cirilio Lessassier, by the Intendant Morales, countersigned by Arroyo, Secretary, and dated the 20th March, 1811.

In addition to the foregoing title papers, the said Solomon Siler proved, by parole testimony, the signatures of the Spanish officers annexed to the title papers, and that lot No. 39 was enclosed, and had a framed house on it in the year 1812, which improvements were made by Cirilo Lessassier; and further saith not.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 19.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 69, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to land within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, Curator of his sons Gustave and Prospere Marigny, Henry McCall, acting for and in behalf of his wife, Lise McCall, citizens of the United States, to lot No. 69, in the city of Pensacola, and the corresponding garden lot, is founded on—

An original deed of lease and release, from James Jones, Abraham Bates, Anne his wife, late Anne Griffiths, executrix of Anthony Forehand, deceased, to James Bruce, Esq. for the town and garden lots, No. 69, with all the buildings thereon, dated 23d and 24th day of June, 1775; signed, sealed, and delivered; reciting that lot, No. 69, and the corresponding garden lot, were granted to Timothy Tryon, by letters patent under the great seal of the province of West Florida, on the 18th of February 1766.

NOTE. See Thomas and David Urquhart's deposition, which likewise applies to this claim, in report No. 12.

The claim of Francisco Suares to the abovementioned lot No 69, in the city of Pensacola, derived from Spanish title, is founded on—

A copy of a mesne conveyance, from Julian Caravallo, to the claimant, passed before Governor Folch, and the assistant witnesses Sausa and Montes de Oca, on the 23d May, 1818, including the improvements thereon; certified to be a true copy, by Joseph E. Caro, on the 31st May, 1824. This deed recites, that the said lot was granted to Caraballo, by Governor Folch, and the improvements made at his own expense.

All which is respectfully submitted by the undersigned Commissioners.

SAML. R. OVERTON.
JOSEPH M. WHITE.

No. 20.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 86, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the

4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Bernard Marigny, Curator of his minor sons, Gustave and Prosper Marigny, Henry M'Call, acting for, and in behalf of, his wife Lise M'Call, citizens of the United States, to lot No. 86, in the city of Pensacola, and the corresponding garden lot, is founded on—

An original deed of lease and release from Richard Payne to William Litch, for the above lots, and all the buildings thereon, dated the 8th day of September, 1766; signed, sealed, and recorded in due form.

NOTE. See Thomas and David Urquhart's deposition, which likewise applies to this claim, in report No. 12.

The claim of Samuel M. Smith and Thomas B. Robinson to the abovementioned lot No. 86, in the city of Pensacola, derived from Spanish titles, is founded on—

An original certificate of sale, made by Governor Masot, dated the 10th of December, 1817, which recites, that the said lot was exposed to sale at public auction, in obedience to a decree of the tribunal of Royal Hacienda, and that John de la Rua became the purchaser.

Also, a copy of an act of sale from said la Rua to the claimant, executed before Colonel William King, temporary Governor, &c. on the 7th July, 1818, certified under the seal of office, to be a true copy, by Joseph E. Caro, keeper of the public archives.

The original proceedings, showing the sale of a number of lots at auction, by order of Governor Masot, including the above lot No. 86, was exhibited by Joseph E. Caro, keeper of the public archives, embracing the decree appointing the appraisers, dated 2d December, 1817; decree ratifying the act of sale, dated the 12th December, 1817; certificate of the payment of the purchase money of the said lot into the office of Government, dated the 12th December, 1817; certificate of survey and of possession given, executed by Pedro Reggio; dated 19th December, 1817.

In addition to the foregoing title papers, the said Smith and Robinson proved, by parole testimony, the signatures of the Spanish officers annexed to the said title papers.

All which is respectfully submitted by the undersigned Commissioners.

SAML. R. OVERTON.
JOSEPH M. WHITE.

No. 21.

A REPORT

Of claims to a lot of ground in the city of Pensacola, No. 33, in the district of West Florida, by titles emanating from the British and

Spanish Governments, with an abstract of the evidence, reported in conformity to the provision of the 4th section of the act of Congress, approved May the 8th. 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners: to wit:

The claim of Bernard Marigny, curator of his minor sons, Gustave and Prosper Marigny, Henry M'Call, acting for and in behalf of his wife, Lise M'Call, citizens of the United States to quarter of lot No. 33, in the city of Pensacola, is founded on—

An original deed of lease and release, from Bryce M'Cumming to James Stewart, for the same quarter of lot, dated 8th and 9th of October, 1768; signed, sealed, and delivered.

NOTE.—See Thomas and David Urquhart's deposition, which likewise applies to this claim, in Report No. 12.

The claim of William Pinchbeck to the whole of the abovementioned lot No. 33, in the city of Pensacola, derived from Spanish titles, is founded on—

An original grant made to Orsino Bouligny, by the Intendant Morales, countersigned by Francisco G. Arroyo, and dated the 2d of May, 1811.

Also, an original private mesne conveyance from Enrique de Grand Pre, attorney in fact of Carlos de Grand Pre, to the claimant, dated the 17th July, 1819, attested by Francisco Moreno, Daniel Long, and Pedro de Alba.

Also, an extract from the protocols, certified to be a true one by Joseph E. Caro, Keeper of the Public Archives, which states that Carlos de Grand Pre purchased of Vicente S. Pintado, on the 23d of March, 1812; that Pintado purchased of Orsino Bouligny, on the 4th of May, 1811.

In addition to the foregoing title papers, the said William Pinchbeck proved, by parole testimony, the signatures of the Spanish officers annexed to the said title papers; and that thirteen or fourteen years ago, the said lot was enclosed, and a framed house built thereon by order of Orsino Bouligny; and further saith not.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 22.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 199, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of

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PART II.

RECEIVED

FLORIDA LAND COMMISSION

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the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of James Scallen, a citizen of the United States, to lot No. 199, in the city of Pensacola, and the corresponding garden lot, is founded on—

An original deed of release from Charles Stuart, Esq. to William Ogilvy and John Falconer, for said town and garden lots, dated 11th August, 1778; signed, acknowledged, and recorded, in due form; reciting that the same was granted to William Nackasson, by his majesty King George the Third, by letters patent, under the great seal of the province of West Florida, bearing date the 5th day of November, 1765; and further, that William Mathias, attorney in fact of the said William Nackasson, conveyed the said town and garden lots to Charles Stuart, by certain indentures of lease and release, bearing date the 22d and 23d of March, 1768.

Also, an original private conveyance from Charles Roberts, attorney in fact of Alexander Livingston, heir and devise of Wm. Ogilvy, late of Pensacola, deceased, and surviving partner of the firm of Ogilvy and Falconer, to Abner L. Duncan, Esq. of the city of New Orleans, attested by David B. Morgan and John Beaty, dated 12th of July, 1821.

Also, an original private conveyance from Abner L. Duncan to James Scallen, attested by David B. Morgan and John Beaty, dated 13th of July, 1821.

The claim of Daniel Duvol to one half of the town lot, No. 199, in the city of Pensacola, derived from Spanish titles, is founded on—

An original decree of concession, made to Martin de Madrid by Governor Folch, for the whole lot, on the 16th of April, 1804.

Also, an extract from the protocols, certified to be a true one by Joseph E. Caro, Keeper of the Public Archives, shewing, that Eugenio Antonio Sierra became the purchaser of one half of the above lot, at the sale of the estate of Martin de Madrid, on the 1st of September, 1815; that Sierra conveyed the same to William M·Voy, on the 4th of March, 1816; that M·Voy conveyed to Carlton Cooper, on the 22d of November, 1816.

Also, a copy of a mesne conveyance from the said Cooper to Daniel Duvol, of said half lot, passed before Governor Masot, and the assistant witnesses, Sausa and Cevallos, on the 26th June, 1817: certified to be a true copy, by Joseph E. Caro, Keeper of the Public Archives, on the 14th September, 1823.

In addition to the foregoing title papers, the said Daniel Duvol proved, by parole testimony, the signatures of the Spanish officers annexed to the grant, and that the said lot was enclosed, and a frame house built thereon, within a year of the grant, by the original grantee.

The claim of William M·Voy to the other half of the lot No. 199, in the city of Pensacola, derived from Spanish titles, is founded on—

An original decree of concession, made to Martin de Madrid by Governor Folch, on the 16th of April, 1804.

Also, the original testamentary proceedings of the estate of Martin de Madrid, were produced, from the public archives by Joseph E. Caro, keeper thereof, shewing that the said half lot was sold as the property of the said Madrid, and purchased by William M. Voy, on the 3d of July, 1817.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 23.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 134, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida, by the undersigned Commissioners, to wit:

The claim of the heirs of James Thompson, citizens of the United States, to the above town and garden lots, No. 134, in the city of Pensacola, is founded on—

An original certificate of survey, executed by Elias Durnford, Surveyor General of the Province of West Florida, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General and Commander in Chief in and over his Britannic Majesty's province aforesaid; certified on the 23d of June, 1766.

Also, an original grant made to David Johnstone by George Johnstone, Esq. Captain General and Commander in Chief, in and over his Britannic Majesty's Province of West Florida, upon the usual conditions, dated 8th of December, 1766; signed and countersigned under the great seal.

Also, an original deed of lease and release from David Johnstone to James Thompson, dated 28th and 29th August, 1769, signed and delivered.

Also, an original deposition of Thomas Barclay, late his Britannic Majesty's Consul General for the Eastern states of America, and at present his said Majesty's Commissioner under the 5th article of the treaty of Ghent, stating that he was born in the city of New York, now a part of the United States of America, in the year 1753; that he was well acquainted with James Thompson, of the said city, merchant, and Catharine his wife, from the year 1764 to the year 1775, and with the son and daughters of the said James Thompson, and Catharine

his wife, to wit: with Jacob Thompson the son, Mary Thompson, deceased, late the wife of Jacob Ricketts, Ann Thompson, who married Elbridge Gerry, late Vice President of the United States, deceased, and Catharine Thompson, who married Isaac Coles, all and each of whom were born in the said city of New York, and are native citizens of the United States. Sworn and subscribed to before John I. Irving, first Judge of the Court of Common Pleas, for the city and county of New York, dated the 3d day of December, 1824.

Also, an original deposition of James Morris, stating that James Thompson, formerly a merchant of the city of New York, married a daughter of Jacob Walton, also merchant of the said city, and grandfather to this deponent, and that the said James Thompson, at the time of his decease, left several children, to wit: Ann, widow of the late Elbridge Gerry, who, at the time of his decease, was Vice President of the United States, and that the said Ann Gerry, formerly Ann Thompson, as this deponent is informed and believes, was born in the city of New York, and resides in Boston, in the state of Massachusetts; and this deponent further saith, that the said James Thompson left another daughter, to wit: Catharine Coles, formerly Catharine Thompson, who, as this deponent is informed and believes, was born in the said city of New York, and who resides, as this deponent is informed, in the state of Virginia; and this deponent further saith, that the said James Thompson left another daughter, to wit: Mary, who married Jacob Ricketts, and that the said Mary Ricketts, formerly Mary Thompson, is since dead; and this deponent further saith, that he is informed and believes, that the said Mary Ricketts, formerly Mary Thompson, at the time of her decease, left several children, to wit: William, George, Jacob, Elizabeth, Anna Maria, and Henrietta, and that they are, as this deponent is informed and believes, citizens of the United States; and this deponent further saith, that Jacob Thompson is the only surviving son of said James Thompson, and that the said Jacob Thompson, as this deponent is informed, resides at Bath, in the Kingdom of Great Britain; and further this deponent saith not. Sworn to and subscribed before Smith Thompson, one of the Judges of the Supreme Court of the United States, of the state of New York, dated 29th November, 1824.

Also, an original deposition of John Pintard, of the city of New York, stating, that he is a resident of the said city, and has been such the greater part of his life; that he is aged sixty years and upwards; that he knew James Thompson, of the said city, merchant; that Mary Thompson, one of his daughters, was the wife of Jacob Ricketts, also of the said city of New York; that Jacob Ricketts, the husband of said Mary, had six children, to wit: William, George, Jacob, Jr., Anna Maria, Elizabeth, and Henrietta; that the said Jacob Ricketts resided with his family a great part of his life in the said city, and that all of the said children, above named, are citizens of the United States, to the best of the knowledge, recollection, and belief of this deponent. Sworn to and subscribed before Samuel D. Craig, of the state of New York, a Commissioner to take affidavits, and dated 8th December, 1824.

The claim of Severino Palao to the above lot, No. 134, in the city of Pensacola, derived from Spanish title, is founded on—

A copy of a mesne conveyance from Eloisa Marcos, executrix of Adelaida Chapron, deceased, passed before Governor Zunigo, countersigned by Domingo Sausa and Joseph Cevallos, assisant witnesses, dated 23d of July, 1816; certified to be a true copy by Henrique de Grand Pre, constitutional Alcalde, countersigned by Luis Daunoy and Sebastian Caro, assistant witnesses, on the 14th July, 1821.

Also, an extract from the protocols, certified to be a true one, by Joseph E. Caro, Keeper of the Public Archives, stating, that Adelaida Chapron purchased the said lot and buildings thereon, from John Forbes, on the 23d of September, 1809.

In addition to the foregoing title papers, the said Severino Palao proved, by parole testimony, the signatures of the Spanish officers annexed to the said title papers.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 24.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 205, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled ‘An act for ascertaining claims and titles to lands within the territories of Florida,’ by the undersigned Commissioners, to wit:

The claim of the heirs of James Thompson, citizens of the United States, to the above town and garden lots, No. 205, in the city of Pensacola, is founded on—

An original certificate of survey, executed by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General, &c. certified on the 23d day of June, 1766.

Also, an original patent made to James Thompson, by George Johnstone, Esq. Captain General and Governor in Chief, in and over his Britannic Majesty’s Province of West Florida, under the great seal, countersigned by Alexander Maclellan, Deputy Provost Secretary, dated the 10th of November, 1766, upon the usual conditions.

NOTE.—Vide depositions of Thomas Barclay, James Morris, and John Pintard, copied in Report No. 23.

The claim of Joseph Bonifay to the above lot, No. 205, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Louis Gayarre to the claimant, passed before H. M. Brackenridge, Alcalde and Notary Public, countersigned by Joseph E. Caro, dated 1st of October, 1821; certified to be a true copy by Joseph E. Caro, Notary Public, and charged with the archives, dated 22d of August, 1822.

Also, an extract from the protocols, certified to be a true copy, by Joseph E. Caro, Keeper of the Public Archives, stating that Joseph Bonifay, purchased from Louis Gayarre, on the 15th January, 1819; this deed recites, that Gayarre purchased from Francisca Albert, widow Rafael Ramos, by private act of sale, on the 1st of April, 1818.

In addition to the foregoing title papers, the said Joseph Bonifay, proved, by parole testimony, that lot No. 205 was granted to Rafael Ramos, by Governor Folch, in the year 1804 or 1805, and that the said lot was enclosed, and a framed house built thereon by the said Ramos.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 25.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 56, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments; with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of Jacob Thompson, citizen of the United States, to the above town and garden lots, No. 56, in the city of Pensacola, is founded on—

An original certificate of survey, executed by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General and Governor in Chief in and over his Britannic Majesty's province aforesaid, certified on the 23d day of June, 1766.

Also, an original patent granted by George Johnstone, Esq. Captain General and Governor in Chief in and over his Britannic Majesty's province of West Florida, to Jacob Thompson, dated the 8th of December, 1766, signed and countersigned, under the great seal.

NOTE. Vide depositions of Thomas Barclay, James Morris, and John Pintard, copied in report No. 23.

The claim of Santiago Colman to the northern half of the above lot, No. 56, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Juakin Barela, to claimant, passed before Governor Folch, and the assistant witnesses, Mathias Cervera and Francisco Xavier Naverro, on the 29th August, 1815; certified to be a true copy by the same persons, on the same day. This deed recites that a house on the said lot is likewise conveyed.

Also, an extract from the protocols, certified to be a true one, by Joseph E. Caro, keeper of the public archives, which shows, that Barela purchased of William M'Voy, on the 21st of August, 1805, that M'Voy purchased of John Innerarity on the 16th January, 1804; that Innerarity purchased of Francisco Duverges, by an act of sale passed before Governor Howard and the assistant witnesses, Cervera and Navarro, on the 16th January, 1804; this deed recites, that the whole of the said lot was granted to the said Duverges by Baron de Carondelet, Governor General of Louisiana, on the 24th of February, 1796.

In addition to the foregoing title papers, the said Santiago Colman, proved, by parole testimony, the signatures of the Spanish officers attached to the said title papers; and, that the said lot No. 56, was enclosed anterior to the grant of the same to Francisco Duverges, by William Panton.

The claim of Joseph Roche, to the southern half of the above lot No. 56, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from William McVoy to the claimant, passed before Governor Howard and the assistant witnesses, Mathias Cervera and Francisco Xavier Navarra, on the 17th January, 1804, certified to be a true copy by the same persons on the same day.

Also, an extract from the protocols, certified to be a true one, by Joseph E. Caro, keeper of the public archives, which states, that William McVoy purchased of John Innerarity, on the 16th of January, 1804; that Innerarity purchased of Francisco Duverges, on the 16th of January, 1804.

NOTE—Vide the above testimony adduced in support of the claim of Santiago Colman, which likewise applies to this claim.

All which is respectfully submitted by the undersigned commissioners.

SAM'L R. OVERTON,
JOS. M. WHITE.

No. 26.

A REPORT

Of claim to a lot of ground in the city of Pensacola, No. 80, and the corresponing garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments; with an ab-
of the evidence, reported in conformity to the provisions of the 4th

section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned commissioners, to wit:

The claim of the heirs of James Thompson, citizens of the United States, to the above town and garden lots, No. 80, in the city of Pensacola, is founded on—

An original certificate of survey, executed by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General and Governor in Chief in and over his Britannic Majesty's said province, certified on the 23d of June, 1766.

Also, an original grant, made to Hamilton Young by George Johnstone, Esq. Captain General and Governor in Chief in and over his Britannic Majesty's province of West Florida, dated 8th of December, 1766, signed and countersigned under the great seal.

Also, an original deed of lease and release from Hamilton Young to James Thompson, dated the 29th and 30th August, 1769, acknowledged and recorded in due form.

NOTE—Vide depositions of Thomas Barclay, James Morris, and John Pintard, copied in report No. 23.

The claim of Josephina Graupera to the above lot No. 80, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Charles Lavallo to Josephina Graupera, executed before H. M. Brackenridge, Alcalde, and Joseph E. Caro, on the 16th July, 1822; certified to be a true copy by the said Brackenridge.

Also, an extract from the public archives, certified to be a true one by Joseph E. Caro, keeper thereof, which states that the said Lavallo purchased of Joseph Verignon, on the 29th November, 1821; that the said Verignon purchased at public auction, as the property of John McGonnegal, on the 2d Nov. 1821; that McGonnegal purchased of Jenevieve Duboisson Baldivas, attorney in fact of Vicente Sebastian Pintado, the 14th August, 1819, that said Pintado purchased of James Wilson, on the 19th August, 1816; that said Wilson purchased of Charles Lavallo, on the 24th April, 1815; that said Lavallo purchased of Pantan, Leslie & Co. by act of sale, duly authenticated, dated the 1st April, 1803, in which it is recited, that said lot was granted to said Pantan, Leslie & Co. on the 16th of April, 1796, by the Baron de Carondelet, Governor of Louisiana and West Florida.

In addition to the foregoing title papers, the said Josephina Graupera proved, by parole testimony, the signatures of the Spanish officers annexed to the title papers; and that the said lot was enclosed, and two small framed houses built thereon by William Pantan, in the year 1797 or 1798.

All which is respectfully submitted by the undersigned commissioners.

SAM'L R. OVERTON,
JOS. M. WHITE.

No. 27.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 79, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity with the provisions of the 4th section of the act of Congress, approved May the 8th 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned commissioners, to wit:

The claim of the heirs of James Thompson, citizens of the United States, to the above town and garden lots, No. 79, in the city of Pensacola, is founded on—

An original certificate of survey, made by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General and Governor in Chief in and over his Majesty's province, certified on the 23d day of June, 1766.

Also, an original grant made to Robert Ross Waddle, by George Johnstone, Esq. Captain General and Commander in Chief in and over his Britannic Majesty's province of West Florida, upon the usual conditions, dated 8th December, 1766; signed and countersigned under the great seal.

Also, an original deed of lease and release from Robert Ross Waddle to James Thompson, dated 14th and 15th September, 1767, acknowledged and recorded in due form.

NOTE—Vide depositions of Thomas Barclay, James Morris and John Pintard, copied in report No. 23.

The claim of John Brosnahan to the above lot No. 79, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Ana O'Conner, widow Gray, to the claimant, passed before William King, Colonel of the 4th regiment of United States' Infantry, and temporary Governor, and Michael McKinzie, Secretary, on the 14th January, 1819, certified to be a true copy on the 25th of the same month; this deed recites, that the widow Gray purchased of John Innerarity, attorney in fact of John Forbes & Co. on the 18th October, 1811.

Also, a copy of a mesne conveyance from John Innerarity, executor of the widow Trouillet, to John Forbes & Co. passed before Governor Folch and the assistant witnesses, Domingo Sausa, and Antonio Montes de Oca, on the 18th July, 1809, certified to be a true copy by the same person, on the 4th August, 1809, conveying likewise a frame house, 34 feet square on the said lot, said lot having been sold by the said executor at public auction.

In addition to the foregoing title papers, the said John Brosnahan, proved by parole testimony the signatures of the Spanish officers annexed to the said title papers.

All which is respectfully submitted by the undersigned commissioners.

SAM'L R. OVERTON,
JOS. M. WHITE.

No. 28.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 135, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th. 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida, by the undersigned Commissioners. to wit:

The claim of the heirs of James Thompson, citizens of the United States, to the above town and garden lot, No. 135, in the city of Pensacola. is founded on—

An original certificate of survey, executed by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from his excellency George Johnstone, Esq. Governor and Commander in Chief, in and over his Majesty's province aforesaid; certified on the 23d day of June, 1766.

Also, an original patent made to Abraham Walton by George Johnstone, Esq. Captain General and Governor in Chief, in and over his Britannic Majesty's province of West Florida, upon the usual conditions, dated 8th of December, 1766; signed and countersigned by Alexander Maclellan, Deputy Provost Secretary, under the great seal.

Also, an original deed of lease and release from Abraham Walton to James Thompson, dated 1st day of June, 1769; signed and acknowledged, and recorded, in due form.

NOTE.—Vide depositions of Thomas Barclay, James Morris, and John Pintard, copied in Report No. 23.

The claim of Pedro Senac to one half of the above lot No. 135, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Vicente Crespo, attorney in fact of John Domingues to the claimant, passed before Governor Howard, and the assistant witnesses, Barrios and Navarro, on the 27th August, 1806; certified to be a true copy by Governor Maxent, Sausa and Montes de Oca, assistant witnesses, on the 8th May, 1809.

In addition to the foregoing title paper, the said Pedro Senac proved, by parole testimony, the signatures of the Spanish officers annexed to the said title paper; and that, about the year 1789, there was a building on the said lot, which was built by John Domingues, and that it has been occupied as private property ever since.

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The claim of Maria Vellon to the other half of lot No. 135, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Estevan Adam to the claimant, for the above half lot and buildings thereon, passed before Governor Collell, countersigned by Domingo Sausa and Juan Villaverde, dated 5th day of January, 1811; certified to be a true copy by the same persons on the same day. This deed recides that Estevan Adam purchased the same from Maria Lafrang, on the 7th December, 1809.

In addition to the foregoing title papers, the said Maria Vellon, proved, by parole testimony, the signatures of the Spanish officers annexed to the said title paper.

NOTE.—Vide documentary and parole proof adduced in support of the claim of Pedro Senac, which likewise applies to this claim.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 29.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 254, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish Governments, with an abstract of the evidence, reported in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of the heirs of James Thompson, citizens of the United States, to the above town and garden lots No. 254, in the city of Pensacola, is founded on—

An original certificate of survey, executed by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General and Commander in Chief, in and over his Majesty's province aforesaid; certified on the 23d of June. 1766.

Also, an original grant, made to James Thompson by George Johnstone, Esq. Captain General, and Commander in Chief in and over his Britannic Majesty's province of West Florida, under the usual conditions; signed and countersigned under the great seal, and dated 10th day of November. 1766.

Also, an original deed of lease and release from James Thompson to David Johnstone, dated 13th and 14th November, 1767; signed, acknowledged, and recorded in due form.

Also, an original deed of lease and release from David Johnstone to James Thompson, for the said town and garden lots, No. 254,

dated 28th and 29th day of August, 1769; signed, acknowledged, and recorded in due form.

NOTE—Vide depositions of Thomas Barclay, James Morris, and John Pintard, copied in Report No. 23.

The claim of John de la Rua, to the above lot No. 254, in the city of Pensacola, derived from Spanish titles, is founded on—

An original grant from the Intendant Morales made to Joseph de la Pena, countersigned by Francisco G. Arroyo, Secretary, dated the 24th of March, 1812.

Also, a copy of a mesne conveyance from said Pena to John de la Rua, executed before Governor Masot, and the assistant witnesses, Domingo Sausa and Jose Cevallos, on the 2d December, 1817; certified to be a true copy by Masot and the same assistants, on the day of the execution thereof.

In addition to the foregoing title papers, the said John de la Rua proved, by parole testimony, the signatures of the Spanish officers annexed to the said title papers, and that between the years 1812 and 1814, the said lot was enclosed, and a small framed house built upon it, ever since which period the said lot has been considered private property.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

No. 30.

A REPORT

Of a claim to a lot of ground in the city of Pensacola, No. 81, and the corresponding garden lot, in the district of West Florida, by titles emanating from the British and Spanish governments, with an abstract of the evidence reported, in conformity to the provisions of the 4th section of the act of Congress, approved May the 8th, 1822, entitled "An act for ascertaining the claims and titles to lands within the territories of Florida," by the undersigned Commissioners, to wit:

The claim of the heirs of James Thompson, citizens of the United States, to the above town and garden lots, No. 81, in the city of Pensacola, is founded on—

An original certificate of survey, made by Elias Durnford, Surveyor General of the province of West Florida, pursuant to a warrant from his Excellency George Johnstone, Esq. Captain General and Governor in Chief in and over his majesty's province of West Florida, certified on the 23d of June, 1766.

Also, an original grant, made to Robert Thompson, by George Johnstone, Esq. Captain General and Governor in Chief in and over his Britannic majesty's province of West Florida, upon the usual

conditions; dated 8th December, 1766; signed and countersigned under the great seal.

NOTE. Vide depositions of Thomas Barclay, James Morris, and John Pintard, copied in report No. 23.

The claim of Domingo Torri, to one-fourth of the above lot, No. 81, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Joseph Tello to the claimant, passed before Governor Collell, and the assistant witnesses, Domingo Sausa and Juan Villaverde, on the 16th of October, 1810; certified to be a true copy by Joseph E. Caro, Notary Public, and charged with the public archives, on the 23d of August, 1822. This deed recites, that the said Tello purchased of John Domingues on the 22d day of March, 1810.

In addition to the foregoing title paper, the said Domingo Torri proved, by parole testimony, that John Domingues built a house on lot No. 81, and enclosed it more than twenty years ago; which house was afterwards consumed by fire; that the said Domingues held possession of the said lot three or four years; that there are buildings at present on the lot, and that it has been in the possession of those claiming under said Domingues ever since.

The claim of Ana Maestre to one-half of the above lot No. 81, in the city of Pensacola, derived from Spanish titles is founded on—

A copy of a mesne conveyance from Louis Maestre to the claimant, passed before Enrique de Grand Pre, Constitutional Alcalde, and the assistant witnesses, Louis Dounoy and Sebastian Caro, on the 22d March, 1822: certified to be a true copy by Joseph E. Caro, keeper of the public archives, on the 2d January, 1823.

Also, an extract from the protocols, certified to be a true copy by Joseph E. Caro, keeper of the public archives, which states, that Maestre purchased the said half lot at a public sale of the estate of Domingo Salas, deceased, on the 18th of October, 1820; that Salas purchased of Francisco Bonal, on the 25th August, 1818; that Bonal purchased of Domingo Salas, executor of Damalcio Salas, on the day last aforesaid; that Damalcio Salas purchased of Vicente Crespo, attorney in fact of John Domingues, on the 11th of May, 1805.

NOTE. See the foregoing claim for proof of performance of conditions.

The claim of legal representatives of John Keyser, deceased, to one-fourth of the above lot No. 81, in the city of Pensacola, derived from Spanish titles, is founded on—

A copy of a mesne conveyance from Francisco Garriga, and Alfonso Salas, attorneys in fact of Joseph Gomez, to John Keyser, passed before Enrico de Grand Pre, Constitutional Alcalde, and the assistant witnesses Luis Dounoy and Sebastian Caro, on the 1st of May, 1821; certified to be a true copy by the same persons, on the same day.

Also, an extract from the protocols, certified to be a true one by Joseph E. Caro, Keeper of the Public Archives, which states, that

Joseph Gomez purchased of James Barcelo, on the 15th December, 1815; that Barcelo purchased of the estate of Manuel Camps, on the 15th December, 1815; that Camps purchased of Francisco Simon, on the 23d May, 1806; that Simon purchased of Vicente Crespo, attorney in fact of John Domingues, by an act of sale, passed before Governor Folch, on the 8th of August, 1804.

NOTE. See the claim of Domingo Torri for proof of the performance of conditions.

All which is respectfully submitted by the undersigned Commissioners.

SAML. R. OVERTON.
JOSEPH M. WHITE.

J.

In the year 1795 or 6, Governor Folch laid out a town between a quarter and half mile from the Fort of Barancas, and on the same side of the entrance into the Bay of Pensacola. It is in evidence before us, that it was his intention to have removed the city of Pensacola to that place, but was probably prevented from doing so, in consequence of a failure to obtain the ratification of the King: his sanction seems to have been indispensable, from an examination of the proceedings touching the alteration and sale of the public square by the Cabildo. Representations are said to have been made to his Catholic Majesty in opposition to the measure, by the citizens of Pensacola; but whether any reply was ever received, we have been unable to learn.

All these claims are founded on mesne conveyances. the original permits being lost, as stated in our reports upon abstracts A and E. We have, however, had access to one of them. From an examination of it, and the parole testimony exhibited to this Board, it appears, that there never was any thing more given by Governor Folch, than permits to improve and occupy the lots, intending to give them grants whenever the plan should be approved by the King. In one of the mesne conveyances, the grantor recites that "he conveys the improvements on said lot, and, should he obtain the grant, conveys thereby the lot also." Whilst, in other cases, the improvements and lots were transferred in the proper offices, thus, it would seem, recognizing a property in the lots.

These lots have been improved as other gratuities, and in all of them the deraignment is complete. The mesne conveyances recite the names of the original claimants, as well as the fact of improvements having been made, without giving the date in some instances, at which they were made. We have, in such cases, dated the improvements from that of the mesne conveyances.

The lots embraced in this class, are within musket shot of Fort Carlos de Barancas; and if the claimants are considered as having a title to them, we presume it could be only upon the condition, that they should be subject to all the restrictions imposed by the laws and usages of Spain relative to lands contiguous to forts and fortifications. As we have been unable to obtain access to the laws upon this subject, we have considered it most proper, both for the United States and the claimants, that we should report the cases for the final determination of Congress.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

K.

Fourth. An abstract and report upon sales at auction, which have been rejected by the Commissioners.

These lots purport to have been sold by the Constitutional Ayuntamiento in 1813, and by Governor Masot in 1817. Most of the latter lie in the rear of Romana street, within the alteration of the suburbs of the city, made by Intendant Morales, in 1807-8, by which the garden lots upon the British plan were converted into arpen and building lots.

From an examination of the original proceedings relative to these sales, we find a dictamen of Governor Masot, dated 2d December, 1817, reciting, that he had convoked the Junta of Royal Hacienda, and that it was ordered that the King's houses and lots in the town of Pensacola and in the suburb thereof be exposed to sale at public auction. Also, a decree of said Governor, dated 4th February, 1818, stating, that a number of persons who had purchased at the public sale aforesaid, not having paid the amount of their purchase money, that advertisements be set up in the most public places, notifying them, that unless they come forward within three days and complied with the conditions of the sale, the said lots would be adjudged to others who petitioned for the same. Also, a decree of said Masot, dated 7th February, 1818, setting forth, that the prolongation allowed by the foregoing decree of the 4th instant had elapsed, declaring the sales made to those who had not complied with the conditions, nor availed themselves of the indulgence thereby extended, null and void, and that the said lots be adjudicated to others who might petition for them, at the price at which they were originally sold.

In some cases deeds and certificates of sale were given to the parties as evidence of title; in others, their claims are founded alone upon the original proceedings relative to the sales, which show that the lots were stricken off to the claimants at various prices, or were afterwards adjudicated to them, in consequence of the original vendees failing to pay the purchase money, in compliance with the conditions of the sales. The certificates were granted when the party applied for them and paid the price at which the lots were sold, and in them was uniformly an acknowledgment of the receipt of the money. The original proceedings, in some instances, show, that the purchase money was paid where no certificates were issued, which we have supposed should be received as conclusive. Where no such proof is exhibited, the presumption must be that the payment has never been made.

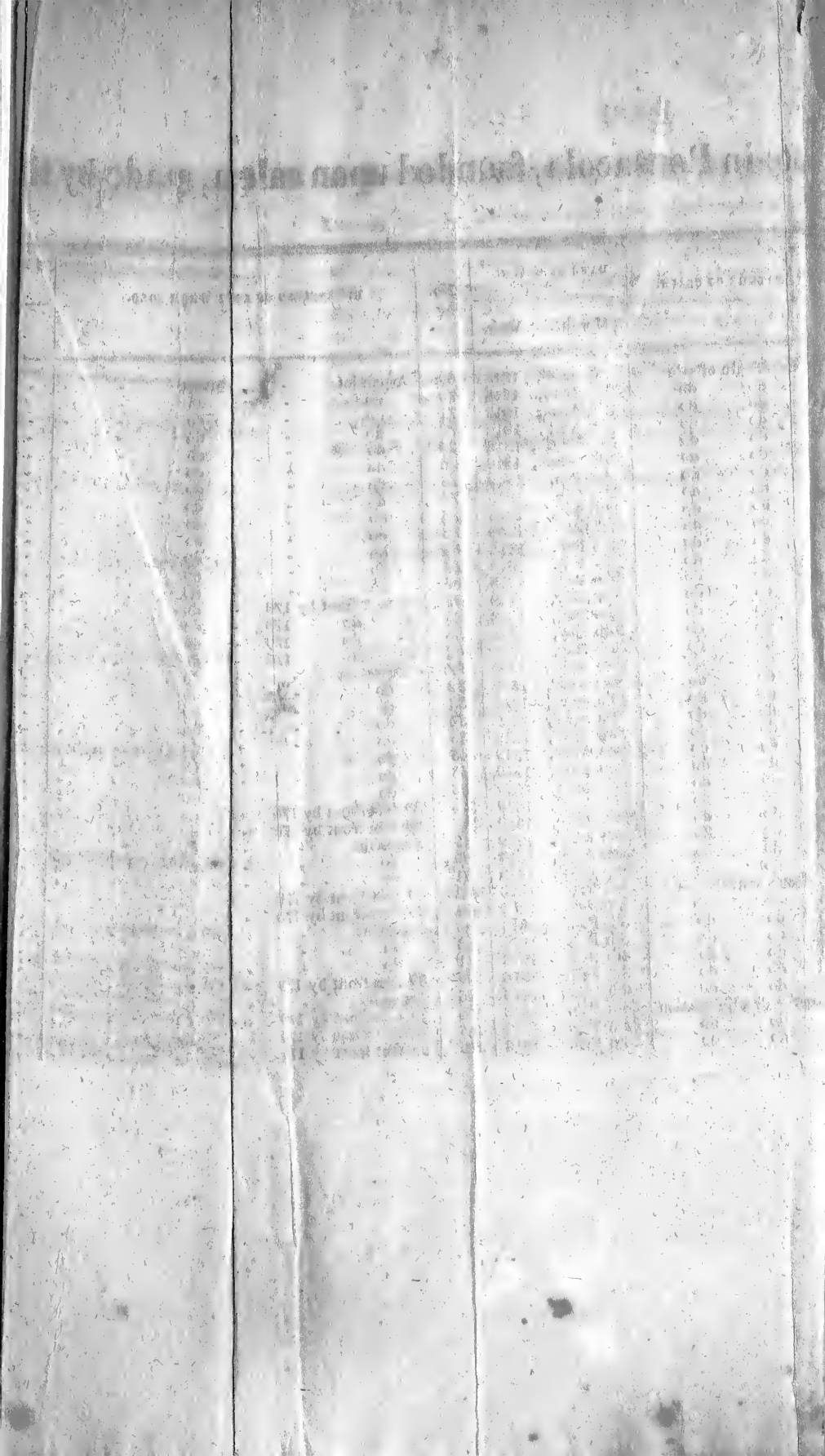
The claims embraced in this class have been rejected from various considerations, some were believed to be antedated or fraudulent; in other cases, the purchase or adjudication was made, and the certificates of sale issued, subsequent to the 24th of January, 1818. Even where the purchase or adjudication was completed prior to, and the certificates were given after the limitation, we did not consider our-

selves authorized under the acts of Congress, to give them confirmation.

In our abstract, we have been particular in giving both the date of the certificates and that at which the purchase or adjudication was made. We have also stated in our column of general remarks, the cases in which the payment of the purchase money appears not to have been acknowledged in any of the documents within our possession. The claims rejected from a belief that they are antedated or fraudulent, are clearly identified in the same part of our abstract. Except the two last-mentioned claims, we have no doubt that the titles included in this abstract are bona fide, and ought to be confirmed. Under such circumstances, the claimants have, at least, an equity to sustain their titles, and we cannot hesitate to recommend them to Congress for their confirmation.

All which is respectfully submitted by the undersigned Commissioners.

SAML. R. OVERTON,
JOSEPH M. WHITE.



AN ABSTRACT of Claims to Lots in Pensacola, founded upon sales at auction, made by the Spanish Government, and which have been rejected by the undersigned Commissioners.

No.	BY WHOM CLAIMED.	ORIGINAL VENDEE.	NATURE OF CLAIM.	DATE OF CLAIM.		No.	DIMENSIONS OF LOTS.	BY WHOM SOLD.	SURVEYED.		GENERAL REMARKS.
				Month.	Year.				When.	By whom.	
1	Mary Weaver	Mary Weaver	Certificate of sale	27th April,	1818	69	Arpan lot	Governor Masot			Sold to Joseph Sweett, at public auction, on the 2d December, 1817, and adjudicated to the claimant, on the 27th April, 1818, at the price they were bidden off to Sweett.
2	Mary Weaver	do	do	27th April,	1818	70	do	do			
3	Mary Weaver	do	do	27th April,	1818	71	do	do			
4	Mary Weaver	do	do	27th April,	1818	72	do	do			Purchased by the claimant at public auction, on 23d December, 1817.
5	Salvador Ruby	Salvador Ruby	do	20th March,	1818	24	do	do			
6	Salvador Ruby	Salvador Ruby	do	20th March,	1818	36	do	do			
7	John Losada	John Losada	do	27th Feb.	1818	73	do	do			Adjudicated to the claimant on the 26th February, 1818, for the same price at which they were sold to Joseph Sweett, in December, 1817.
8	John Losada	John Losada	do	27th Feb.	1818	74	do	do			
9	John Losada	John Losada	do	27th Feb.	1818	75	do	do			
10	John Losada	John Losada	do	27th Feb.	1818	76	do	do			Purchased by the claimant at public auction, on the 19th December, 1817.
11	John Losada	John Losada	do	27th Feb.	1818	84	do	do			
12	John Losada	John Losada	do	27th Feb.	1818	85	do	do			
13	John Losada	John Losada	do	27th Feb.	1818	86	do	do			Purchased by the claimant at public auction, on the 19th December, 1817.
14	Gregorio Caro	Gregorio Caro	do	20th May,	1818	27	80 feet front by 170	do			
15	Gregorio Caro	Gregorio Caro	do	20th May,	1818	333	80 do 170	do			
16	Gregorio Caro	Gregorio Caro	do	20th May,	1818	334	80 do 170	do			Purchased by the claimant at public auction, on the 19th December, 1817.
17	Gregorio Caro	Gregorio Caro	do	20th May,	1818	362	80 do 170	do			
18	John Brounham	John Brounham	do	26th April,	1819	27	Arpan lot	do			
19	John Brounham	John Brounham	do	26th April,	1819	32	do	do			Purchased by the claimant at public auction, on the 19th December, 1817.
20	John Brounham	John Brounham	do	26th April,	1819	33	do	do			
21	John Brounham	John Brounham	do	26th April,	1819	34	do	do			
22	John Brounham	John Brounham	do	26th April,	1819	35	do	do			Adjudicated to the claimant on 10th February, 1818, for the same price at which they were sold to Joseph Sweett in December, 1817.
23	John Brounham	John Brounham	do	26th April,	1819	45	do	do			
24	John Brounham	John Brounham	do	26th April,	1819	53	do	do			
25	John Brounham	John Brounham	do	26th April,	1819	65	do	do			Purchased by John de la Ruz, at public auction on 19th December, 1817.
26	John Brounham	John Brounham	do	26th April,	1819	314	80 feet front by 170	do			
27	John Brounham	John Brounham	do	26th April,	1819	317	80 feet front by 170	do			
28	John Brounham	John Brounham	do	26th April,	1819	49	Arpan lot	do			Purchased by Carlos Baron, on the 20th December, 1817, at public auction.
29	John Brounham	John Brounham	do	26th April,	1819	50	do	do			
30	John Brounham	John Brounham	do	26th April,	1819	51	do	do			
31	John Donaldson	John de la Ruz	Mense conveyance	4th Feb.	1818	353	80 feet front by 170	do			Purchased by Francisco Moreno, on the 24th December, 1817, at public auction.
32	John Donaldson	John de la Ruz	do	4th Feb.	1818	354	80 feet front by 170	do			
33	John Donaldson	John de la Ruz	do	3d Feb.	1818	26	Arpan lot	do			
34	John Donaldson	Carlos Baron	do	5th Feb.	1818	18	do	do			Purchased by Pedro Reggio, at public auction, on the 24th December, 1817.
35	John Donaldson	Francisco Moreno	do	4th Feb.	1818	41	do	do			
36	John Donaldson	Francisco Moreno	do	3d Feb.	1818	399	80 feet front by 170	do			
37	William P. Anderson	Pedro Reggio	do	6th June,	1818	46	Arpan lot	do			Sold to Joseph Sweett, at public auction, on the 19th December, 1817, and adjudicated to the claimant. Then receipt for the amount taxed on sale, but no acknowledgment of the payment of the purchase money.
38	Cirilo de Morant	Cirilo de Morant	Decree of adjudication	26th Feb.	1818	144	80 feet front by 170	do			
39	Cirilo de Morant	Cirilo de Morant	do	26th Feb.	1818	145	80 feet front by 170	do			
40	Cirilo de Morant	Cirilo de Morant	do	26th Feb.	1818	146	80 feet front by 170	do			

THE HISTORY OF THE

REIGN OF

CHARLES THE FIRST

BY

JOHN BURNET

OF THE UNIVERSITY OF OXFORD

IN TWO VOLUMES

LONDON

Printed by J. Streater, at the Sign of the Gun, in St. Dunstons Church-yard

1679

ABSTRACT K---Continued.

No.	BY WHOM CLAIMED.	ORIGINAL VENUE.	NATURE OF CLAIM.	DATE OF CLAIM.		No.	DIMENSIONS OF LOTS.	BY WHOM SOLD.	SOLVED.		GENERAL REMARKS.
				Month.	Year.				When.	By whom.	
41	Cirilo de Morant	Cirilo de Morant	Decree of adjudication	26th Feb.	1818	147	80 feet front by 170	Governor Masot	-	-	} Sold to Joseph Swett, at public auction, on the 19th December, 1817, and adjudicated to the claimant. There is a receipt for the amount taxed on the sale, but no acknowledgement for the payment of the purchase money.
42	Cirilo de Morant	Cirilo de Morant	do do	26th Feb.	1818	148	80 feet front by 170	do do	-	-	
43	Cirilo de Morant	Cirilo de Morant	do do	26th Feb.	1818	149	80 feet front by 170	do do	-	-	
44	John Donaldson	Pedro Alba	Meine conveyance	3d Feb.	1818	10	Arpan lot	do do	-	-	
45	John Donaldson	Pedro Alba	do do	3d Feb.	1818	38	Arpan lot	do do	-	-	} Purchased by Pedro Alba, at public auction, on the 21st of December, 1817. Purchased by Pedro Alba, at public auction, on the 24th December, 1817. Purchased by Pedro Alba, at public auction, on the 21st December, 1817. Purchased by Manuel Gonzales, at public auction, on the 24th December, 1817. Purchased by Juan Alleck, at public auction, on the 24th December, 1817.
46	John Donaldson	Pedro Alba	do do	3d Feb.	1818	38	Arpan lot	do do	-	-	
47	John Donaldson	Pedro Alba	do do	3d Feb.	1818	318	80 feet front by 170	do do	-	-	
48	John Donaldson	Manuel Gonzales	do do	3d Feb.	1818	315	80 feet front by 170	do do	-	-	
49	John Donaldson	Juan Alleck	do do	28th Jan.	1818	59	Arpan lot	do do	-	-	} Purchased by Antoine Colcin, at public auction, on the 20th December, 1817. Sold to Swett, at public auction, on the 20th December, 1817, and adjudicated to John de la Rua, on the 7th February, 1818.
50	John Donaldson	Antoine Colcin	do do	21st Jan.	1818	269	80 feet front by 170	do do	-	-	
51	John Donaldson	Antoine Colcin	do do	21st Jan.	1818	503	80 feet front by 170	do do	-	-	
52	John Donaldson	Juan de la Rua	Certificate of sale	21st Feb.	1818	225	80 feet front by 170	do do	-	-	
53	John Donaldson	Juan de la Rua	do do	21st Feb.	1818	267	80 feet front by 170	do do	-	-	} Sold to Joseph Swett, at public auction, on the 21st December, 1817, and adjudicated to Juan de la Rua, on the 7th February, 1818.
54	John Donaldson	Juan de la Rua	do do	21st Feb.	1818	1	Arpan lot	do do	-	-	
55	John Donaldson	Juan de la Rua	do do	21st Feb.	1818	2	Arpan lot	do do	-	-	
56	John Donaldson	Juan de la Rua	do do	21st Feb.	1818	11	Arpan lot	do do	-	-	
57	Pedro Alba, jun.	Pedro Alba, jun.	do do	21st Feb.	1818	19	Arpan lot	do do	-	-	} The evidence in this case proves, that the certificate of sale for these ten lots is a forgery.
58	Pedro Alba, jun.	do do	do do	13th Feb.	1818	30	Arpan lot	do do	-	-	
59	Pedro Alba, jun.	do do	do do	13th Feb.	1818	87	Arpan lot	do do	-	-	
60	Pedro Alba, jun.	do do	do do	13th Feb.	1818	303	80 feet front by 170	do do	-	-	
61	Pedro Alba, jun.	do do	do do	13th Feb.	1818	321	80 feet front by 170	do do	-	-	
62	Pedro Alba, jun.	do do	do do	13th Feb.	1818	342	80 feet front by 170	do do	-	-	
63	Pedro Alba, jun.	do do	do do	13th Feb.	1818	343	80 feet front by 170	do do	-	-	
64	Pedro Alba, jun.	do do	do do	13th Feb.	1818	344	80 feet front by 170	do do	-	-	
65	Pedro Alba, jun.	do do	do do	13th Feb.	1818	345	80 feet front by 170	do do	-	-	
66	Pedro Alba, jun.	do do	do do	13th Feb.	1818	346	80 feet front by 170	do do	-	-	

All which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

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AN ABSTRACT of Claims to Lots in the Village of St. Carlos de Barancas, founded on permits of improvements, which have been reported to Congress by the undersigned Commissioners.

NO.	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.	NATURE OF CLAIM.	DATE OF CLAIM.		NUMBER.	DIMENSIONS OF LOT.	[BY WHOM ISSUED.	SURVEYED.		BUILT UPON AND ENCLOSED.		GENERAL REMARKS.
				Month.	Year.				When.	By whom.	From.	To.	
1	Mariana Bonifay	Joaquin Barela	Permit of improvement	-	-	10	-	Governor Folch	-	-	-	1799	
2	Fernando Moreno	Francisco Jimena	do do	-	1796	11	170 feet front by 340	do	-	-	-	1806	
3	Ana Folch	Francisco Duverge	do do	-	-	6	-	do	-	-	-	1799	
4	Alfonso Salas	Carreras and Barela	do do	-	-	9	-	do	-	-	-	1800	
5	Ygnacio Serra	Manuel Maldonado	do do	-	-	26	Arpan lot	do	-	-	-	1804	
6	Ygnacio Serra	Manuel Maldonado	do do	-	-	27	do	do	-	-	-	1804	
7	Ygnacio Serra	Pedro Rola	do do	-	-	-	do	Commandant of Engineers	-	-	-	1814	
8	Ygnacio Serra	Pedro Rola	do do	-	-	-	do	do	-	-	-	1814	
9	Joaquin Barela	John Lacosta	do do	-	-	4	-	Governor Folch	-	-	-	1807	
10	Joaquin Barela	John Lacosta	do do	-	-	-	-	do	-	-	-	1807	
11	Rosalia Segovia, widow Barnard	Diego Zelazar	do do	-	-	-	-	-	-	-	-	1814	The origin of this claim is not recited.
12	Joaquin Barela	Joaquin Barela	do do	-	1802	-	-	do	-	-	-	1817	
13	Joaquin Barela	Joaquin Barela	do do	-	1802	-	-	do	-	-	-	1817	
14	Juan Suarez	Vicente Crespo	do do	-	-	-	-	-	-	-	-	1822	The origin of this claim is not recited.

All which is respectfully submitted.

**SAMUEL R. OVERTON,
JOSEPH M. WHITE.**

as the ... in ...

L.

AN ABSTRACT of Claims to Lots on the Public Square in Pensacola, founded on the Sales of the Cabildo and Gratuitous Concessions, and which have been reported to Congress by the undersigned Commissioners.

NO.	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.	NATURE OF CLAIMS.	DATE OF CLAIM.		NUMBER.	DIMENSIONS OF LOTS.	BY WHOM ISSUED.	SURVEYED.		BUILT UPON AND ENCLOSED.		GENERAL REMARKS.
				Month.	Year.				When.	By whom.	From.	To.	
1	Antonio Montero -	Antonio Montero -	Sale by the Cabildo -	31st Decem.	1813	19	80 feet by 93 -	Cabildo - - -	7th December, 1813 -	Vicente S. Pintado			
2	Fernando Moreno -	Domingo Olivier -	do - - -	30th Decem.	1813	17	do - - -	do - - -	do - - -	do - - -	-	-	The grantee has improved and inhabited the said lot from 1813 to the present date.
3	Joseph Viola -	Joseph Viola -	do - - -	30th Decem.	1813	9	do - - -	do - - -	do - - -	do - - -	-	-	
4	Heirs of Whittier Brinson -	Whittier Brinson -	do - - -	18th March,	1814	6	do - - -	do - - -	do - - -	do - - -	-	-	
5	Lane & White -	Ignacio Pressa -	do - - -	24th Decem.	1814	20	do - - -	do - - -	do - - -	do - - -	-	-	
6	Otho W. Callis -	Francis Haube Fabier -	Messe conveyance -	28th Novem.	1818	3	do - - -	do - - -	do - - -	do - - -	-	-	Sold at public auction on the 12th March, 1814.
7	Otho W. Callis -	Joseph Bonifay -	do - - -	29th Novem.	1819	4	do - - -	do - - -	do - - -	do - - -	-	-	do do 14th March, 1814.
8	Isaac P. Smith -	John B. Baquer -	Sale by the Cabildo -	30th Decem.	1813	7	do - - -	do - - -	do - - -	do - - -	-	-	
9	Smith & Whitehead -	John B. Baquer -	do - - -	30th Decem.	1813	8	do - - -	do - - -	do - - -	do - - -	-	-	
10	Gavron C. Forsyth -	Francisco Barrios -	Messe conveyance -	1st May,	1823	12	do - - -	do - - -	do - - -	do - - -	-	-	do do 31st December, 1813.
11	James L. Goree -	John B. Alleck -	Sale by the Cabildo -	31st Decem.	1813	10	do - - -	do - - -	do - - -	do - - -	-	-	
12	Vicente S. Pintado -	Vicente S. Pintado -	Grant - - -	17th Decem.	1817	11	do - - -	Intendant Ramirez	do - - -	do - - -	-	-	
13	Vicente S. Pintado -	Vicente S. Pintado -	do - - -	17th Decem.	1817	13	do - - -	do - - -	do - - -	do - - -	-	-	
14	Vicente S. Pintado -	Vicente S. Pintado -	do - - -	17th Decem.	1817	14	do - - -	do - - -	do - - -	do - - -	-	-	
15	Vicente S. Pintado -	Vicente S. Pintado -	do - - -	17th Decem.	1817	15	do - - -	do - - -	do - - -	do - - -	-	-	
16	Vicente S. Pintado -	Vicente S. Pintado -	do - - -	17th Decem.	1817	16	do - - -	do - - -	do - - -	do - - -	-	-	
17	Vicente S. Pintado -	Vicente S. Pintado -	do - - -	17th Decem.	1817	18	do - - -	do - - -	do - - -	do - - -	-	-	
18	Vicente S. Pintado -	Vicente S. Pintado -	do - - -	17th Decem.	1817	-	As described in certificate C	do - - -	do - - -	do - - -	-	-	See Report No 10.
19	Manuel Gonzales -	Manuel Gonzales -	Concession -	1st Jan'y,	1817	-	80 feet front by 80 -	Governor Masol -	30th September, 1816 -	do - - -	1817	-	Granted for the purpose of erecting a market house. This lot lies on the square of Ferdinand VII, as laid out by the Cabildo.
20	Joseph Noriega -	Joseph Noriega -	Permit of improvement	31st May,	1817	352	80 feet front by 93 -	Governor D'Neil -	- - -	do - - -	1810	-	This lot interferes with the claim of James L. Goree and others, which was laid out by the Cabildo, numbered 10, 11, and 12, and Old Barracks, &c

All which is respectfully submitted.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.



L.

Fifth. An abstract and report upon claims to lots laid out in the Public Square, by the Cabildo of Pensacola, in 1813, '14; with a plan of said alteration.

The above claims are in that part of the city of Pensacola commonly called the Plaza, or Public Square, lying between Alcanis and Palafox streets on the east and west, and New street on the north, according to the Spanish plan of Pensacola, and between George and Charlotte streets in the British plan of the same.

The undersigned Commissioners, aware of the deep interest that is felt by the individual claimants as well as the municipal authorities, in the decision which must be given upon the validity of these claims, have entered upon their examination with the reluctance and diffidence which their importance and difficulties have imposed, and with the deliberate consideration which the various questions of national, municipal, and local law, involved in their decision, require, so far as they have had access to any information on the subject.

The town of Pensacola was founded by the Spaniards in the year 1696. When the Spanish and French Governments were contending for colonial aggrandisement in America, it was taken by the French and retaken by the Spaniards; but whether it was only a military post or a regular town, it is difficult to determine from any information within our reach. It is presumed, however, that, during these changes and revolutions, no regular plan of the town was formed, until it came into the possession of the British Government, by the treaty of 1763; and whether there was an act of incorporation or not, made under the directions of the Board of Trade and Plantations, or the local authorities, is a question of equal uncertainty. From the records in our possession, it is evident that there was a regular plan made under the British Government, with a large public square and other reserves, and all the town and garden lots granted to individuals, according to that plan; and, during the period that the British Government exercised jurisdiction and sovereignty over these provinces, there was no grant to any part of the public square, and no buildings erected thereon, except those for public and common purposes.

The most important question involved in the consideration of the subject is—In what light was the public square viewed by the British Government? and what right did Spain acquire under the conquest in 1781, and the subsequent treaty of cession in 1783? It is evident from the British plan of Pensacola, and the records, that the abovementioned portion of the town was yet a part of a common to the town, which could not be intruded upon or reduced to private property without manifest injury to the individual grantees, and purchasers contiguous thereto. It is believed that, under the common law of England, a public square in a town and city could not be granted by the sovereign any more than a street or highway; and it has been set-

tled by repeated adjudications, both in that country and in the United States, that any power or privilege contained in an act of incorporation, cannot be repealed by a subsequent act of Parliament or Legislature, without the insertion of a special clause conferring that authority. That there was a charter or act of the local legislature for the establishment of the town there can be no doubt, and laid out by the Surveyor General of the province, in conformity thereto. That the British authorities considered that no part of the square thus laid off in the general plan, could be granted, is conclusively demonstrated by the circumstance, that, during the twenty years they occupied the place, no portion of it was appropriated to individual uses. Whether there was an act of incorporation in addition to the one establishing the town, would not materially affect the main question above stated, or lessen the force of the vested rights of the contiguous grantees and purchasers, as well as the community in their privilege of ingress and egress upon that part of the town appropriated for the common benefit of the whole, and acquiesced in by an uninterrupted continuity of possession for twenty years.

Property, as defined by writers on general and national law, is either public, common, or private, and although the sovereign can appropriate private property for public uses, by making a fair compensation to the individual owner, it arises from the principle, recognized by all governments, that individual rights must bend to the pressing exigency of a whole community; but when a resort of the kind is made, it is not by arbitrary compulsion, but by giving an ample indemnity and equivalent for the property thus appropriated, and, in such cases, all that the sovereign does is to compel a relinquishment of his possessions for a fair price. It is said by Blackstone and De Lolme, on the British Constitution, that none but the sovereign or legislature can exercise this power; the rights which a community enjoy in a public highway or public square, is as perfect as any right of private property secured by law; it follows, necessarily, that where a right of common is established, that it cannot be taken away without the consent of the owners, or without indemnification for the injuries they sustain: they can, at any time, voluntarily surrender their privileges and rights in favor of the sovereign, and their alienation would make it public property, and subject to the disposition of the sovereign authorities, wherever they may be lodged. That the inhabitants of the town, and the contiguous grantees, had a common interest and right in the public square of the town, there can be but little doubt, and this right they cannot be deprived of without their free consent, or a fair equivalent; upon the principle above stated, an alteration of the square between a front proprietor and the bay, would materially injure the price of his property, obstruct a free circulation of air, and destroy his prospect—privileges for which he may have paid much more than he would have done, had he anticipated the alteration, and render his position less valuable for business: any alteration of that kind, without his consent, would be a serious injury to his right of property, without remuneration, and, upon the principle above stated, could not legally be done.

The next inquiry is, what change did the conquest of this province in the year 1781, make in the existing rights of individuals? It is believed to be a well established principle of the laws of nations, that a sovereign can alienate any portion of his domain, without a provision in favor of individual rights by making compensation, which grows out of the paramount right denominated the right of eminent domain. Of the propriety of this principle, it is needless here to enter into any discussion. The conqueror would enforce the position at the point of the bayonet, and the conquered must submit. This place having been captured by the Count de Galvez, such conditions might have been imposed on the inhabitants; but in the articles of capitulation, and, subsequently, in the treaty of cession, a provisional reservation of the rights of British grantees was made; these were permitted to sell within a limited period; the purchasers from the conquered inhabitants, in whose favor such indulgence has been given by treaty, succeeded to all the rights and privileges which they enjoyed, and, among others, the right of common. The plan of the town remained unaltered for twenty years under the Spanish Government, during which period her own subjects acquired rights, contiguous to the square, of the same character as those which existed in the British grantees, and no alteration was thought of until the mines of Mexico ceased to pour their floods of gold into the coffers of the provincial government, when the hungry rulers began to devise ways and means, at any sacrifice, to fill their exhausted and decayed treasury. They soon forgot the *res communes*, and the distinction *de divisione rerum*, during this period; however, permits were granted in one or two instances, to erect temporary improvements, by officers of the garrison, to those who wished to supply the garrison or town with marketing, &c. which is a common practice under the Spanish Government in the vicinity of forts, where they are forbidden by law to grant titles of property. These permits are presumed to have been of that character, with special clauses to that effect, and conferring usufructuary rights only.

The first alteration of the square was projected by Governor Folch y Juan, in 1802, and the most of the lots granted in the year 1804, and 5. The alteration was of that part most remote from the bay, and lying between the streets E. and W. beforementioned, and between Intendencia and New streets, a continuation of Government street on the north and south, and contained *thirty-three* lots. Folch at the same time contemplated a removal of the town to Barrancas. In 1806, when the Intendant and Superintendent General Morales arrived here, he disapproved of the project, and refused to confirm the titles given by Folch, as also to concede the ungranted lots, (*vide* title of *Caso y Luengo*.) but decreed that the grantees should remain in possession until the decision of his Majesty should be known. Whether it ever received the royal sanction, we are unable to determine; but several years afterwards, Morales granted some of those lots. The arguments above stated would equally apply to this alteration, but it was the duty of those interested, whose rights and privileges

were invaded by this proceeding, to have prosecuted their rights under the Spanish Government, by petition or suit; their failure to do so, is an acquiescence and presumed consent of the community and municipal authorities, which combined with the ratification of the Intendant, as is evidenced by his granting the lots, the long possession of the claimants, their undisturbed possession for twenty years, place those claims in a different point of view from the sales of the Cabildo. The Commissioners will do what the authorities of Spain could legitimately perform; and as these lots have been improved and occupied for that length of time, with the consent of the officers of government, the local authorities, and the contiguous grantees, although there might have been an original defect of power, they will give confirmation to them. The laws of all well regulated societies make a distinction between longestablished and prescriptive rights, and those undetermined and *in fieri*. Even usages which are sanctified by immemorial practice, assume the character of law. The recent plan under the constitutional government, however, has none of those sanctions, it is *res integra*; the Spanish authorities have never approved it; and the United States are now required to do what Spain would have done, had not the sovereignty been transferred. What Spain would have done, can only be ascertained by her laws and ordinances; for we must presume that those only are the rules by which every government is regulated.

The water fountains, the places where *fairs* and *markets* are held, where the city councils meet, the sandy places on the banks of rivers, *belong separately to the commons of cities and towns*, because they have been appropriated and granted for the *common use* of each city, town, castle, or other places.—Partidas, tit. 28, l. 9. The same work, tit. 5, l. 15, upon the subject of sale and purchase, declares, that “*public squares, roads, threshing grounds, rivers and other waters, which belong to the king, or the commons of any city, cannot be sold or alienated.*” Title 32, law 23, provides, that “*no one ought to erect a house, or other building, or works, on the public places, or threshing grounds, or roads, which are common to cities, towns, or other places. For as they are left open for the sake of regularity, and the common good of all who come there, no one ought to take possession of them to labor there for his own particular benefit.* And if any one contravenes this law, that which he builds there ought to be pulled down and destroyed; and if the corporation of the place where the works are constructed, *chose [to retain them for their own use, and not pull them down, they may do so; and they may make use of the revenue derived therefrom, in the same manner as of any other revenue they possess.*”

According to Vattel, b. 1, c. 20, s. 245-6, the eminent domain confers on the sovereign barely the power to *regulate the manner in which common property is to be used*. He cannot alienate or take away the right of those who have a share in that property; but the care he ought to take, as the trustee and guardian of the public repose, invest him with the power to prescribe laws regulating the *manner in which common things are to be enjoyed*. The exercise of a different power,

would place this species of property upon the ground occupied by that of a public nature, and destroy every feature which would indicate its being held and enjoyed in common. The idea inseparably connected with this description of property is, that it shall not be reduced to severalty, unless with the consent of all interested. All have a right to a free *use* and *servitude* in it. The sovereign cannot alone alienate it, but is bound, as the protector of his subjects' rights, to prevent any one, either by alienation or otherwise, from usurping more of the *common* use and *servitude*, than that to which he is justly entitled; or disturbing any other in the use of it, or rendering it less *fit* for public purposes. He is obliged to see that this common use is in no way injured or impaired, by excluding any one, or making a distinction to his disadvantage, by assigning some less, and others more, than they could rightfully claim.

This incontestably proves that the civil law of Spain was as explicit on the subject as that of the common law of England. The reference made to the work, entitled "Recopilacion de las leyes las Indias," in the proceedings instituted to obtain a ratification of the alteration of the square by the constitutional Ayuntamiento, has been examined with great care, and by no means will bear the construction endeavored to be given it. This appears also to have been the opinion of the Commandant of Engineers. It does not confer any authority to alter a square already made, but directs the manner in which squares shall be laid off, referring of course to the future.

We have already remarked that the squares of cities, which are considered in the light of *common* property, can only be altered by the concurrence of all the parties concerned. The citizens or corporation must legally consent, as well as the sovereign, who stands in the attitude of a trustee. In the case now before us, the citizens present themselves in opposition to the measure, and we have no evidence that His Catholic Majesty ever acceded to it, which seems to have been indispensable, from the proceedings instituted to effect its ratification. Anastacio de Arango, Commander of Engineers reports that the case is "full of obstacles," and should be submitted to the Supreme Government. He also intimates, if we understand him, that the powers of the Cabildo, both under the constitution and decrees of the King, relate to the sale of lands only. On 13th April, 1814, speaking of the new plan of the Cabildo, he says, "I never believed it could be possible they could interfere with the royal buildings, as such decisions have no connection with those which ought to belong to the constitutional Ayuntamiento." The Surveyor General and Minister of Finance of West Florida approve of the alteration, to whom no difficulty was presented. However, the King's attorney at Havana, to whom no reference appears to have been regularly made by the Intendant, reports inconveniences in the case, and suggests that it should be reported to his Majesty. Under the constitution it should have been forwarded to the Provincial Deputation to be approved by the Cortez; but whether this was ever done or not, or what was the result, we have been unable to learn.

Upon a careful examination of these proceedings, it seems that, in addition to the difficulty growing out of the square being *common* property, it was considered as a *military* square, with which the Cabildo could not interfere, agreeable to the opinion of the Commandant of Engineers. The Director of Engineers, in his communication to Apodaca, Captain General of Cuba, after protesting against varying the position of the military buildings by the new plan of the Cabildo, says, "As little could they sell or dispose of either the whole or a part of the King's lots, without his sovereign consent; so that I conceive the whole ought to revert to the same situation in which it was before any such innovation took place." In this opinion Apodaca concurs, unless it should be attended with prejudicial consequences, in which event he would represent the case to his Majesty. Jose de Soto, Governor of West Florida, after an examination of the whole proceedings, had previously decreed, that "there was no authority by which the plan of the town could be altered, so as even to interfere with the military buildings;" and prohibited all improvements upon the lots sold upon the new plan, until the decision of his Majesty should be known.

From a view of the whole case, the undersigned Commissioners cannot believe that the alteration of the public square by the Cabildo, or the gratuitous concessions were authorized by law; but, with due deference, submit the case to the decision of Congress. If we have been right in considering it as *common* property, and were to confirm the claims to the lots, it would amount to nothing more than giving the assent of the government to the new plan, as the *trustee* of the citizens of Pensacola. The claim of the citizens would still be open to investigation before the judicial tribunals; should it be viewed in the light of a *military* square, it is submitted how far it becomes *public* property, to the alteration of which the Commandant of Engineers, to whom it was properly referred, never consented. On the contrary, he reported against it as illegal, and a matter with which the Ayuntamiento had no concern, being without the pale of the powers with which they were vested. This is admitted to be a hard case upon most of the claimants. The original vendees, it appears, paid a valuable consideration for the lots, and some of them have since passed into the hands of innocent purchasers. In equity and justice they are either entitled to the lots, or the money with which they were purchased; but how they are to obtain redress, Congress must determine.

The alteration of division 24, which was reserved in the original plan for public buildings, and to which the proceedings in part relate, appears to us to stand upon different grounds from that of the square of the city. The first was reserved for special purposes of a public nature: it was *public* property, and as such was subject to the disposal of the lawful authorities of West Florida. We have, therefore, given them confirmation.

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

THE ACTS OF THE CABILDO.

YEAR 1816.

Judicial proceeding followed up by sundry inhabitants of this town, in order to obtain possession of the lots which they purchased at public sale; to which the collateral (incidental) claim for the piece of land appropriated for the church, was annexed by order; as brought forward by the Rev. Vicar General and Ecclesiastical Judge.

A STATEMENT of the individuals who purchased the undermentioned lots, which were sold at public judicial sale, by order of the Superiority of this Town, in the months of December, 1813, and January, of 1814.

Lot No. 357	Adjudged to Don Joaquin Barrela, for	-	350 00
358	do Don Lorenzo Brew	-	340 00
359	do Don Manuel Gonzales	-	312 00
360	do Don Joseph Goumarin	-	145 00
361	do Ma. Char. Grand Pre	-	127 00
365	do Don Joaquin Barrela	-	50 00
366	do Charles Sierra, (a colored man)	-	33 00
367	do Don Eugenio A. Sierra	-	156 00
368	do Don Antonio Collins	-	55 00
369	do Don Antonio Montera	-	78 00
7	do Don B. Bacquet	-	232 00
8	do do	-	231 00
9	do Don Joseph Viola	-	200 00
10	do Don John B. Aleck	-	252 00
12	do Don Fran. Barrios	-	212 00
17	do Don Domingo	-	137 50
19	do Don Antonio Montero	-	164 00
20	do Don Ignacio Presas	-	200 00
	do Charles Sierra, (a colored man), being part of lot No. 246, valued at	-	35 00
3	do Don Elias Papin, for	-	124 00
4	do Don Charles Lavallo	-	205 00
5	do Mr. Thomas Boils	-	165 00
6	do Mr. John Brinson	-	177 00
Dollars,			3,980 50

Pensacola, 4th September, 1815. Signed on the part of all concerned, by Francisco Barrios, Charles Lavallo.

PETITION 1ST.

To his Honor the Governor and Sub-delegate:

The undersigned inhabitants of this place, with decorum and respect due to your honor, present themselves, and state: That the Ayuntamiento, heretofore of this place, did, at the request of the Governor, Don Matthew Gonzales Manrique, and with the consent of the Deputy Minister Intendant of Finance, Don Antonio Cabanis, and of the Commander of Engineers, Don Anastacio de Arango, by their acts and council, ordain the sale, in a public judicial manner, of the additional lots occasioned by the regulation of the two squares of Ferdinand and the 7th, and of Seville, in the intermediate space, and also the division destined for a church, situate between the house of Don Francisco Gonzales de Jente, King's Storekeeper, and that of the widow Francisco Albert y Ramos. The object of said sale was to procure, with the proceeds thereof, the indispensable necessities of subsistence for the garrison and those attached to it, then under the most urgent circumstances of misery, in which they were placed by a failure of their supplies of provisions, and their want of means to procure relief. The exponents, in consequence therefore, purchased the lots numbered as in the adjoining statement, for the prices detailed therein, four of which only are occupied by the owners, which are those of Don Eugenio Antonio Sierra, Don Francisco Gonzales de Jente, and Don Lorenzo Brew, in the church division; and Don Joseph Viola on lot No. 9, in the space between the two squares, where he has built a house of becoming appearance. But your honor having been informed that it was the intention of Don Carlos Lavalley likewise to enclose and build upon the lot which he bought near the government house, *has put a stop to it*; because the approbation of his majesty respecting the sale has not been received, notwithstanding those who make this representation paid the prices for which the lots were sold, and were put into the possession of them by the members of the Council, commissioned for the sale, and who executed the corresponding writings in the public archives. It becomes, therefore, a matter of doubt whether they are, or are not, legitimate owners, and whether they can or cannot dispose of what they believe they have acquired a just title to at public sale, with the sound of drum and voice of the crier, because, by any other mode they ought to believe they have been defrauded by the authorities acting in the said sale. They, therefore, entreat your honor will have the goodness to determine by decree, if they ought to consider themselves owners of the said lots, and if they are really not so, that the money which they have paid for them may be returned to them; that by this means may be prevented their incurring a greater injury, which might probably occur to them: the which act will be to your petitioners a favor and courtesy. Pensacola, 4th September, 1815.

Furthermore, as this affair may require other judicial communications, such as your honor may choose to dictate, a particular notification of which to each individual interested, would occasion embarrass-

ment, your petitioners ask and entreat your honor will please to order it to be understood, that such proceedings will be treated of with Don Carlos Lavalle and Don Francisco Barrios, on whom, from this time forward, we confer ample power to represent us and to do for all of us whatever may be consistent with our rights. We ask as before written. (Signed) Juan Aleck, Carlos Lavalle, Joaquin Barrela, Antonio Calcires, Manuel Gonzales, Widow Montero, Lorenzo Brew, Eugenio Antonio Sierra, Frk. Goumarin, Whitters Bruison, Francisco Barrios, for his mother Luis Guyarre, Ignacio Presas, Carlos Sierra.

DECREE.—Pensacola, 5th September, 1815. Taking into consideration that *there was no authority by which the plan of the town could be altered so as even to interfere with the military buildings*, the declaratory decree which the parties solicit, cannot be issued. It will be understood that no innovation is to be permitted until after the decision of his Majesty, to whom I am going to refer the affair by the first opportunity. (Signed) Soto, Hernandez, (countersigned) Sousa, Cevallos.

NOTIFICATION.—In the same day, month, and year, we made it known to Don Carlos Lavalle and Don Francisco Barrios. We certify the same. (Signed) Sousa, Cevallos.

PETITION.—We Don Carlos Lavalle and Don Francisco Barrios, inhabitants of this place, for ourselves, and in behalf of the individuals who purchased several public lots in the years 1813 and 1814, and who have authorized us to this effect, before your honor as may be most conformable to law, and with reservation of whatever plea may avail us, present ourselves, and say: That, in the month of September of last year, (1815) we presented a petition in common, to the Intendant (commander,) ad interim, predecessor of your honor, Col. Jose de Soto, in which we explained all the circumstances which preceded and occasioned the sale and adjudication at auction of the twenty-two complete lots, and part of another, which we purchased for the sum of three thousand nine hundred and eighty dollars and four bitts, as also the subsequent circumstances resulting from our having delivered the money to the person authorized to receive it; in virtue of all which, we considered ourselves lawful possessors of the said lots. We stated, also, what had occurred with Don Carlos Lavalle, at the time he wished to build on the one he purchased near the government house; and we concluded our petition by requesting that the commander would please to declare, if we might consider ourselves owners of the said lots, adding, that, in case we were not so, the money we had disbursed ought to be repaid us, together with an allowance for the detriment occasioned us.

The result of this petition was, that Don Jose de Soto decreed on the day following, with the advice of Don Carlos Hernandez Barrutia, Auditor of Government and Assessor of this Intendancy, that, "Taking into consideration that there was no authority by which the plan of the town could be altered, so as even to interfere with the military buildings, the declaratory decree which was solicited, could not be issued; and that no innovation would be allowed until after the deci-

sion of his majesty, to whom he was going to report the affair by the first opportunity."

Sufficient time has already elapsed, if Don Jose de Soto realized that part which he exposed in his decree, for the answer to have reached this place, and as we are interested in knowing what is the determination of his Majesty, or of whatever other subordinate authority the said gentleman might address himself, so that, at sight of what it may be, if our rights should be infringed upon thereby, we may press our claims; so much the more just, as it is impossible to believe that we will be deprived of what was sold to us by the authorities of the country, with the sound of a drum and of a crier.

We, therefore, intreat your honor will decree that a certified copy be put in continuation herewith, of the answer that may have been addressed to Don Jose de Soto, and being done, that the same be delivered to us, so that we may proceed consistently with justice, which we ask. We swear we proceed not from malice, but necessity, &c. (Signed) Francisco Barrios, Carlos Lavallo. Pensacola, 6th of August. 1816.

DECREE.—Put them an official certificate of the answer they solicit, and, being done, deliver it to them as they ask. (Signed) Zuniga, (countersigned) Domingo Sousa, Jose Cevallos.

NOTIFICATION.—On the same day we communicated to Don Carlos Reggio, Secretary of this Government, and we also delivered him the judicial proceeding for the purpose abovementioned. (Signed) D. Sousa, Jose Cevallos.

COPY.—In an official note of the 16th of the present month, the Director of Engineers of this place has written me as follows: "May it please your Excellency: *The late Cabildo of Pensacola could not nor ought to vary the position of the military buildings of that place, without the sovereign approbation, as provided in article 9, title 1, regulation 3, of the ordinance of the royal corps of engineers, and much less without the direction of the said corps, to whom, by the first article of the same title and regulation, it exclusively appertains. As little could they sell or dispose of either the whole or part of the King's lots, without his sovereign consent, so that I conceive the whole ought to revert to the same situation in which it was before any such innovation took place, and for which it appears to me your excellency is invested with the power, according to the aforesaid article 9, or otherwise to give information to his Majesty for his sovereign decision; continuing, in the mean time, the prohibition to use the said lots and vary the buildings.* This in submission to the superior judgment of your Excellency, to whom I return the documents." *My own opinion being conformable, I transmit you a copy thereof in answer to your official note relative to the affair, No. 570, to the end that you may carry into effect what relates to the first point, unless the execution should be attended by injurious circumstances, in which case your Honor will instruct me thereof, that I may state the same to his Majesty. God preserve your Honor many years. Havana, 20th January, 1816. (Signed) Apodaca. (Addressed to his Honor the Commander of West Florida, ad interim.*

CERTIFICATE.—The foregoing is a copy of the original official document which exists among the papers of this office, under my charge, to which I refer. Pensacola, 6th August, 1816. (Signed) Carlos Reggio.

PETITION.—We, Don Carlos Lavalle and Don Francisco Barrios, having filed petitions for the purpose of obtaining for ourselves and for the inhabitants whom we represent, possession of the lots of the crown, which were sold to us at public judicial sale, under all the formalities (which were) prescribed by the rules of the time in which the sale was effected, or in case possession could not be given us, that the sums we have paid might be reimbursed us, together with an indemnification for the detriment we have sustained from a deprivation of our money. We say that, in consequence of the request contained in our last writing, your honor was pleased to decree, on 6th inst. "That a certified copy should be put in continuation by your Honor's Secretary, of the answer of which we treated, and, being done, it should be delivered to us." This has been done, and we have found that his Excellency the Captain General, to whom the Commander, the predecessor of your Honor, stated the case in an official note, No. 570, on the ground of a communication from the Director of Engineers of Havana, dated 16th of December of the last year, advised the government of this province, with date of the 20th of January of the present year, to let the affair remain as it was, unless attended by prejudicial circumstances, in which case this government ought to instruct him thereof, that he might report the same to his Majesty.

At sight of this decree we were obliged to conclude that Don Jose de Soto omitted in his official paper, No. 570, what he ought to have stated, and that he expressed what he was not authorized to say.

In effect, if in his report he had stated that the sale of the said lots was determined upon by the Cabildo of that time, incited to it by his Honor the Military Governor of this province, and President of the said Cabildo; that the fundamental motive for this, was the low state to which the royal coffers of this place were reduced, and the necessity of some food for the garrison then perishing for want; that the Commander of Engineers, Don Anastasio de Aranga, not only made verbal insinuations to the Governor, Don Matthew Manrique, that he ought to avail himself, as much as possible, of his discretionary powers to sell the lots and lands of the royal domain, but also, (as we have heard) he executed the same in writing; that, in the new form given to the plan of the town, and which was drawn by the Surveyor General with strict adherence to the rules prescribed by the laws of these provinces, the position of the military buildings was in no wise varied; that the sale was published by large bills, and was effected according to the custom of the country at the sound of the drum, for which reason the Commander of Engineers could not be ignorant of it, and if he could have had any thing to object to or to reclaim, he would not have kept silence; that the disbursement was made, on our part, of the real and effective sums for which the lots were respectively adjudged to us as the best bidders, the posses-

sion of which we were despoiled of by this same Don Jose de Soto; and, finally, that, with the amount which we paid for the same, the garrison was sustained. If all and each one of these circumstances, we again repeat, should have been explained in the official paper, No. 570, with that exactness and impartiality which justice requires, how was it possible that the Director of Engineers of Havana could have consumed the Cabildo of this place, and less, have added what his answer to his Excellency the Captain General, contains? Or how his Excellency (the position of the military buildings not having been varied in the least,) would, in conformity therewith, have ordered that what related to the first point, should be carried into effect, and manifested a doubt that the execution thereof might be attended by prejudicial circumstances.

When thus much is evident, it becomes necessary to believe that the report was not adjusted to the reality of the events, but that some circumstances were omitted which were in our favor, and, for some particular end, others were introduced to our prejudice. For these reasons, therefore, we consider ourselves authorized to protest one, two, and three times, and as many times oftener as by law may be necessary, against the author, or authors, of all the injuries and detriments which have resulted to us from having sold us the aforementioned lots, to obtain the amount for which they were adjudged to us; and, under the pretext of having altered the plan of the town, so as even to interfere with the military buildings, have prohibited us from building, selling, or making any use of our property.

We will suppose for an instant, that the thing might be such as it appears that it has been represented to be, to his Excellency the Captain General, in the official paper, No. 570, would this be a reason that we should be the victims of any irregularities with which the Cabildo, the Military Governor, Don Matthew Manrique, the Commander of Engineers, Don Anastasio de Arango, and the other authorities, might have proceeded, who were concerned in the affair, and ordered the judicial sale? Could we, in so serious and solemn an act, doubt their authority to separate from the royal patrimony the lots which they put up at public auction? Would we not have exposed ourselves to just confusion, and even to punishment, if we would have attempted such an investigation? We believe there can be no man in his senses of this opinion. We also judge that there can exist neither reason nor justice, even if there is cause to invalidate sales made with so many formalities and so much solemnity, that there should be any to deprive us of the right to obtain the reimbursement of our money, together with an indemnification, justly graduated by the privation thereof, from the time that we paid the prices for which the lots were adjudged to us, until the moment when the restoration of the same may be effected. We knew that in the situation in which the affair is placed, your honor is not at liberty to act, and can resolve nothing. The decision ought to emanate from his Excellency the Captain General, if, as we suppose, in compliance with prompt justice, he drops the idea of reporting it to his Majesty; but that he may be able so to

do, with less scrupulousness and greater security; in that case, it will be convenient that all which we have alleged in this writing should be fully proven. Therefore,

We entreat your Honor to order that, by the Secretary of this Government, in whose charge it appears the books and papers of the late Ayuntamiento are found, there may be annexed in continuation herewith, certified copies of all the acts, official papers, and other documents and proceedings, which preceded and regulated the aforesaid sale; as likewise, certificates from the Captain of infantry, Don V. S. Pintado, Surveyor General of this Province, of the proceedings, orders, and official papers, by which was brought to pass the alteration and regulation made of the old plan of the town; annexing a copy thereof, and of that which he formed anew, together with the explanations necessary for a better comprehension of the same. All which being done, your Honor will please to transmit a copy of the judicial proceeding to his Excellency the Captain-General, in compliance with his provision of the 20th of January of the present year, and which, according to our limited comprehension, ought to have been done without our solicitation, by your Honor's predecessor, within the terms required by justice, which we ask. We swear we proceed not from malice, but necessity. (Signed) Francisco Barrios, Carlos Lavalle.

DECREE.—Let them have the certificates they request for the individuals mentioned in the petition. (Signed) Zuniga. (Counter-signed) Domingo Sousa, Jose Cevallos.

NOTIFICATION.—In the same day we made it known to Francisco Barrios, and D. Carlos Lavalle; which we certify. (Signed) Sousa, Cevallos.

No. 1. *Act of the Cabildo*.—In the town of Pensacola, on the 10th of April, 1813, in extraordinary sitting, summoned by his Honor the Governor, ad interim, of this province, and President of this Ayuntamiento, his Honor began by observing that the object of this meeting was, to state that, having received intelligence that the Americans were forming an expedition at Pass Christian, for the purpose of attacking and obtaining possession of Mobile, in case those of that post should not be able to defend themselves; and that, in consequence, they would not cease to disquiet this town, for which reason he esteemed it his duty to recommend to the gentlemen present, that they ought, on their part, to use every possible effort to ensure a punctual compliance with respect to what he was about to propose: 1st. That they make interest with such persons as may have any provisions, and encourage them to make a delivery of them to supply the troops with rations, by ensuring them pay for the same, from the National Treasury of Havana; and put up public bills to that effect. 2d. That because the Treasury Coffers of this place are found absolutely without funds, they endeavor to prevail with the owners of carts to perform the service of hauling a few timbers obtained from an individual, for the purpose of completing the powder magazine and glacis of fort St. Michael. 3d. To urge those who own stock, either of beef, cattle,

horses, or hogs, to have them brought over on this side of the river Perdido, for the greater security of the same. 4th. That by means of public advertisements, this faithful and loyal vicinity (community) be entreated to contribute as much as possible towards clearing the ground contiguous to Fort St. Michael, so that the firing from the same may have the better effect, in case of an attack. The which propositions of his Honor the President, having been heard with the greatest attention, by the Alcalde and other gentlemen of this Cabildo, they all unanimously promised not to omit any step or effort in order to give effect to what had been recommended.

Afterwards, at the request of the Syndic, was taken into consideration the (vacant) lots found in the town and its environs: that it would be well to put them up to sale, in order that, with the proceeds thereof, purchases of provisions, &c. might be made for the royal magazine of this place, with respect to which it was resolved, that his honor the President be charged with the passing of an official note to the Intendant, in order to obtain this object, which is rendered of so much importance by the necessity which is prevailing.

Lastly, I, the Secretary, was ordered to pass to the dwelling of the lady widow of the Adjutant Major D. Jose Noriega, and inform her that, in the course of three days, the writing of property would be required of the lot contiguous to the barracks; situate in the middle of the military square, which she says she owns, and speaks of again putting up its buildings, but which is said not to belong to her; with which this sitting was closed, and was signed by his honor the President, and the other gentlemen of this Ayuntamiento, which I certify. Mauricio de Zuniga, Vicente Ordosgoity, Martin de Madrid, Francisco Gomez, Antonio Montero, Lorenzo Vitrian, and Francisco Barrios, Secretary.

No. 2. Act of the Cabildo of the 21st April, 1813.—In the town of Pensacola, on the 21st April, 1813, in extraordinary sitting, summoned by his honor the Governor of this province, and President of this Ayuntamiento; the gentlemen who composed it having assembled, his honor the Governor commenced by shewing the official note he had passed to the Minister of Royal Finance, as charged in Cabildo on the 10th instant, together with the answer, and what else had been done with respect to the affair, and sale of the lots in this town, according to what appears from the copy thereof, which exists in the archives under my charge: when, after reflecting thereon, and conferring together, it was unanimously agreed that the desires of his honor the Governor were fulfilled, as recorded in the aforesaid sitting of the 10th inst.; with which this sitting terminated, and was signed by his honor the Governor and the other gentlemen, which I certify. Mauricio de Zuniga, Vicente Ordosgoity, Martin de Madrid, Milan de Carreras, Francisco Gomez, Francisco Barrios, Secretary.

No. 4. Act of the Cabildo of the 17th May, 1813.—In the town of Pensacola, on the 17th of May, 1813, the gentlemen of the Constitutional Ayuntamiento of this place, having assembled in the ordinary sitting, presided by his honor the Commander of this province, as

Civil Chief of the same, three official notes were read, addressed by his honor, with date of the 10th inst. the first accompanying a printed paper which contains three royal decrees of the 4th, 9th, and 13th of February last, relative to the daily allowance to gentlemen deputed from courts of ultramarine provinces. The second accompanying an exemplar from the Gazette of the Regency of Spain and its dependencies, of the 26th of January last, containing the *royal decree of the 4th of the same month, which treats of the reduction of public (common) grounds to particular property*. And the 3d contains another royal decree of the 26th of September of last year, by which it is provided that such ecclesiastics as may be found living as citizens, may hold an active voice, and give their votes at the election of the Constitutional Ayuntamientos, but may not be elected to any office or council. Whereupon it was resolved by all the gentlemen, that due compliance shall be given in the respective particulars, and that for the purpose, the said official notes be reserved in the archives, together with the reports by the gentlemen Alcalde, commissioned by the Ayuntamiento, &c.

No. 5. Act of the Cabildo, of the 31st August, 1813.—In the town of Pensacola, on the 31st of May, his honor the President, and the other gentlemen of the ex-Ayuntamiento, have assembled; among other things they treated on the following:

“Afterwards, an official note was read, presented by the Alcade, being a copy of the one which he addressed to the Minister of Finance, requesting intelligence respecting the provisions *relative to the alteration and enlargement of the old plan of this town*, and the answer returned him by the said gentlemen Minister, “that meeting with it in a judicial proceeding which was formalized with that intent, and which is very voluminous; as he has no amanuensis, it would be expedient that the Ayuntamiento should appoint a person to be employed for that purpose.” Whereupon, it was resolved, that the gentlemen Alcade should again address another official note to him, reiterating the request.

An official note was also read from the Commander of Engineers, Don Anastacio de Arango, which he delivered to his honor the President, to whom he addressed it, and proposes to his discretion the proceeding *to sell, under certain conditions, lands of the royal domain*; and it was resolved that the gentleman Alcade should answer his honor the President, and express due thanks to the Commander of Engineers for the zeal he has manifested in communicating his ideas, so conformable in every respect to those of the members of this Ayuntamiento; but they observe, that, owing to the absolute want of money, there will be no purchasers, unless some foreigners, and that it will be more expedient to await other favorable circumstances, in order to fulfil in part the formalities prescribed in the sovereign decree of the 4th January last, not neglecting, in the mean time, to attend to the Spanish citizens, who may solicit it (I suppose the land) for purposes of public utility; and that, in returning the said official note to his honor the President, a certified copy thereof be requested for the archives of this Ayuntamiento.

Another official paper was also read, presented by his honor the President, addressed to him by the Minister of Public Finance, together with a petition from the Rejidor, D. Antonio Montero, who, as being interested therein, retired from the Hall, when on deliberating upon his petition, "that the amount for the ten lots of ground and one building lot, which were assigned to him at public sale, should be passed to his credit, (for meat furnished by him,) which lots were appointed to be sold, in order to purchase provisions for the troops, and others attached to this garrison, owing to absolute want of money which prevails;" it was resolved, that, considering it to be one of the most necessary articles, and that, as expressed in his contract, he ought to be paid monthly in specie for the amount of meat furnished by him during the same, they acceded to his request, and authorized the Alcade, that in due [here an expression wanting,] and return the petition.

No. 6. Act of the Cabildo, of 9th August, 1813.—At another sitting held in this town, on the 9th August of the same year, by the said gentlemen, among other things they treated on the following: "Likewise, after having read an official paper presented by his honor the President, addressed to him by the Engineer of this place, D. Anastacio de Arango, relative to the deficiency of means in this town for the subsistence of the garrison and those attached to it, and what else the said gentlemen alleges; it was resolved, that his honor the President be authorized to communicate with the Minister of National Finance, for the purpose of obtaining from that officer a statement of the arpents lately disposed of at public sale, and of those which remain to be sold, pointing out the purchasers who may not have paid the amount for which the lots were adjudged to them, and for what reason; so that this illustrious Ayuntamiento, on understanding what the said Minister may say, may determine as they may judge expedient and possible, in relation to the official paper from the aforesaid Engineer, D. Anastacio de Arango.

No. 7. Act of the Cabildo of the 27th of August, 1813.—At a sitting held in Pensacola, on the 27th of August of the present year, the President and other gentlemen of the Ayuntamiento being assembled, among other things, they treated and resolved on the following:

"Afterwards his honor the President presented an official note from the Minister of Public Finance, being an answer to what the said gentleman passed to him according to resolution of the 9th instant, accompanied with three copies: 1st. of the actual lots in this town belonging to the royal domain; 2d. another of the lots sold, and paid for to the Treasury, from the 4th of June, until the 21st of August, and the 3d. another of the lots sold, with the names of those to whom they were sold, but the amounts of which have not yet been paid: all which having been read by me, the Secretary, it was resolved, that the Minister of the Treasury be authorized to recover the amounts of the lots sold and not paid for, agreeable to the statement No. 3, without requiring more from the purchasers than the amount for which they were adjudged; without a discount of half annuities, remittance to Spain, or

any other, because the sale was not preceded by any condition, and because this Ayuntamiento becomes responsible for the result; all which will be communicated for his requisite information, and that, when he has effected a total recovery, he may proceed to make out the deeds of sale, and give the corresponding titles to the purchasers, as well as to give in to the Ayuntamiento a statement of the amount of all the lots sold and paid for, in order that it may be reclaimed so soon as the public treasury may be found with funds sufficient to repay the same.

No. 8. Act of the Cabildo of the 6th September, 1813.—At the town of Pensacola, in Cabildo, held by the Ayuntamiento in ordinary sitting, on the 6th of September, in which his honor the Governor presided, among other resolutions the following were adopted:

“In the same manner it is resolved, that this Ayuntamiento, by its Secretary, should pass official notes to his honor the Governor, and also to the Minister of the National Treasury, in order that the said officers, gentlemen, may please to inform the Ayuntamiento if any objection occurs to them, to their proceeding by means of the Surveyor General, to lay off the squares of this town, and the lots which may be left vacant thereby, according to what the *article 321 of the Constitution* provides, and whatever else may be deemed expedient.”

No. 9. Act of the Cabildo of the 5th October, 1813.—In the town of Pensacola, in ordinary Cabildo of 5th of October, 1813, in which his honor the Governor of this province presided, the other individuals who composed it being present, among other things, the following were treated of:

“Likewise, and equally, it was represented by the Syndic, that no answer appears on the part of the Minister of the Treasury, up to the present date, to the official notes, which, by order of the same Ayuntamiento, were passed to him on dates of 9th and 20th of September, relative to the delineation of the squares of this town, and the vacant lots.

That it becomes requisite to decide on this particular, owing to the detriment which this delay occasions, by resolving that an official note be passed to the Surveyor General, directing him to proceed to lay off the said squares agreeable to law and usage; as also the lots which, by the said regulation, may be left vacant, and what other vacant lots there may be in town; specifying how many lots are comprised in the division which was destined for the building of a church, &c.” The Regidores and the Constitutional Alcade were unanimously of the opinion of the Syndic, and resolved that the same be carried into effect.

No. 10. Act of the Cabildo of the 11th of October, 1813.—In the town of Pensacola, in ordinary Cabildo, of the 11th of October, 1813, the gentlemen who composed the late Ayuntamiento being assembled, and his honor the Governor of the province presiding, among other things they treated and resolved on the following:

“Afterwards was read by me, the Secretary, an official note, addressed by the Surveyor General to me, in reply to the one I addressed to him by order of the Ayuntamiento, dated 6th inst. upon which it was

resolved to proceed to the election of one of the *Rejidors*, (aldermen) to act in concert with the said surveyor, and proceed to the formation of the plan of this town, which, when done, ought to be presented to the *Ayuntamiento* for their approbation, and that this officer proceed to the sale of the vacant lots, consequent on the same, for which purpose *D. Francisco Gomez* was elected;—In like manner it was resolved by all the gentlemen of the *Ayuntamiento*, that an official note should be passed to the Minister of Finance, desiring him *not to oppose any obstacle to the exportation of flour on account of its having been so determined by the Ayuntamiento, during the time they were without means for its purchase, as injury would thereby result to the commerce of the place.*

The *Syndic* proposed, that he protested against the resolution to permit the exportation of flour, adhering to what he said in the sitting of the 7th inst. on its prohibition; and that in a very few days, with despatch in the sale of the vacant lots, for which the Surveyor General had to make out the plan, there might be funds for the purchase of provisions; besides, it would be improper; the town might be left without flour, as intelligence had been received that a vessel, bound from Orleans to this place, had been detained by the Americans at Mobile point, and her cargo of provisions taken out, and he concluded by requesting that copies might be given him of this act, and of that of the 7th inst. all which was granted."

Nb. 11. Act of the Cabildo of 18th October, 1813.—In the town of Pensacola, in ordinary *Cabildo*, on the 18th October, 1813, the gentlemen mentioned in the margin being present, and presided by his honor the Governor of this Province, the sitting was opened by reading an official note, which was addressed to his honor the President by the Minister of the Treasury, in reply to those, that with dates of the 6th and 20th September, and 6th inst. which I, the Secretary, passed to him by order of the *Ayuntamiento*; and *who consents to the delineation of the squares and vacant lots*, but is opposed to the delivery of the land archives; all according to his official note, which remains in these archives. Whereupon, it was resolved by the gentlemen present, that the resolution respecting the demarcation and sale of vacant lots should be carried into effect; and the opposition of the minister to the delivery of the land archives, for the reasons he alleges, should be represented to the *provincial deputation*, who may thereupon determine as they may find expedient. The *Syndic* stated the actual proceedings in virtue of the commission conferred on him by the *Ayuntamiento* (namely) to proceed, with a sufficient number of skillful men, *to the estimation of the lot situate between the house occupied by D. Francisco Gonzales de Fonte, and that of D. E. A. Sierra*, of 45 feet in front and 170 feet in depth, stating by the said proceeding that the said piece of ground has been estimated by the four appraisers named for that purpose, as appears, at \$ 150, for which sum, *D. Diego Palmes* ought to pay the redemption tax, as he agreed to do when the estimation might be made; they then resolved that, at the next *Cabildo*, *Diego Palmes*, as well as *D. E. A. Sierra*, be required

to present the permit or permits they may have obtained, to possess themselves of the ground occupied by their houses: D. Diego Palmes, likewise, to present that which he may hold of the ground that has been valued; so that, with a view of the whole, the Ayuntamiento may be able to determine with the correctness they desire.

No. 12. *Act of the Cabildo of the 21st of October, 1813.*—In the town of Pensacola, in extraordinary Cabildo of the 21st October, 1813, the gentlemen of the ex-Ayuntamiento, and his honor the Governor of the province being President, among other things the following were treated and resolved upon:

Afterwards, I, the Secretary, presented an official note from the Surveyor General addressed to me, and accompanied with a plan of the division which was destined for the construction of public buildings, and lots becoming vacant by said plan being comprehended by the gentlemen of the Ayuntamiento, they resolved, that it be approved, as found regular, and that the Surveyor General thereto proceed, with the advice of D. Francisco Gomez, to finish those which remained to be measured, including those which the Syndic mentioned in his statement to the Ayuntamiento—the same to be sold after those of the aforesaid division.

In like manner it was resolved to remit the plan to the provincial deputation, that, being apprised of the determination of the Ayuntamiento they may please to give their due consent thereto, according to article 322 of the constitution, so that the sale may be proceeded in, observing that the object of the sale is not only to procure funds for the use of the Ayuntamiento, at present without any, and to defray the indispensable expense of building a church and public jail, but also in part to remedy the scarcity generally experienced in the town for want of provisions, of which there is no stock for the support of the garrison, and those attached to it; adverting, also, that the Ayuntamiento has resolved, if the case should require it (as may be expected unless speedily obtained) to proceed to the sale, for the said reasons of urgent necessity, persuaded that such a step will meet the approbation of your honors, even if the sale should take effect without your approbation, for the reasons stated.

It was also resolved to pass an official paper to the Minister of the public Treasury, requiring the said gentleman to order the delivery to the Ayuntamiento, by the proper person, of the judicial proceeding, formed relative to the town lots, with all which the sitting closed, which I certify; the gentlemen of the Ayuntamiento and the assistant secretary signing with me. Matthew Gonzales Maurique—Vicente Ordosgoity—Martin de Madrid—Millan de Careras—Antonio Montero Juan de la Rua—Felix Talla.

No. 13. *Act of the Cabildo of 25th of October, 1813.*—In the town of Pensacola, in ordinary Cabildo, held on the 25th October, 1813, his honor the Governor presiding, and the other gentlemen of the ex-Ayuntamiento being present, the sitting commenced by reading a representation from the Syndic, protesting against the resolution adopted in extraordinary Cabildo on the 21st inst. as relates to not determining immediately on the sale of the lots, in order to attend to

the urgent necessities of the garrison (as appears by his representation which remains in these archives) to which gentlemen voters stated, that they adhered to what had been determined in the aforesaid sitting, and, as the Syndic was not present, they ordered he should be informed of the same, shewing him that the resolution was by a majority of votes, and was not deficient in the formalities of the law, as he represents.

No. 14. Act of the Cabildo of 22nd November, 1813, in the town of Pensacola, held on 22nd November, 1813, in which his honor the Governor was President, and the other gentlemen who composed the Ex-Ayuntamiento were present, among other things the following were determined:

"In like manner it was treated, that his honor the President should correspond with the Minister of National Treasury (Finance) that from this day forward, no vessel be permitted to load with any kind of provisions, so long as the blockade may continue, which the English vessels of war have established from the entrance of this port to the Balize, for which reason the intercourse by sea is found to be interrupted from this place to Mobile and New Orleans, the only places from whence, up to this period, we have provided ourselves with provisions. The sitting hereupon closed, which I certify. Matthew Gonzales Manrique, Vicente Ordosgoity, Martin de Madrid, Milan de Carera, Francisco Gomez, Antonio Montero, Lorenzo Vitrian, Felix Tala.

Further Act of the Cabildo of the 2d December, 1813.—In the town of Pensacola in extraordinary Cabildo, held in Pensacola on 2d December, 1813, in which his honor the Governor of the province was President, and the other gentlemen mentioned in the margin were present; his honor the President commenced by stating, that the cause of his having summoned an extraordinary Cabildo, was his having been informed that two vessels were about to leave this with flour, at the same time that we experience a rigorous blockade by the maritime forces of his Britannic Majesty, which suffers no vessel to pass that was from New Orleans, the only place from which we receive provisions; for which reason, he desired that the gentlemen of the Ayuntamiento, after having maturely reflected on the particulars, would determine what may be most expedient, in order to avoid feeling in this town a want of the articles of greatest necessity; with respect to which, the gentlemen voters resolved, that previous to preventing the departure of the said vessels, it was necessary to ascertain what quantities of provisions were in town, for which purpose it was resolved to appoint two members of this Ayuntamiento, who should proceed to take a particular account of the provisions there may be in the place, and having elected for that purpose D. Martin de Madrid, and the Syndic, by a majority of votes, they took charge of the said commission, to execute it as soon as possible. Afterwards it was determined, that, in order to effect the relief of the garrison from such pressing necessity, the sale of the lots formerly destined for a church should be effected, under the express conditions, that the purchasers

should pay the amount down in cash, or at least the one half in cash, and the other half in provisions at the current price in this place, the rejidores D. Martin de Madrid, and D. Francisco Gomez being authorized for that purpose. according to the resolution passed in ordinary Cabildo, on 29th November; and that the secretary of the Ayuntamiento shall give public notice of said resolution by large bills, specifying that the said sale will take place on the 9th inst. and the sitting herewith closed; all which I certify. Matthew Gonzales Maurique, Vicente Ordosgoity, Martin de Madrid, Francisco Gomez, Antonio Montero, Lorenzo Vitrian, Felix Tala.

No. 15. Act of the Cabildo of 3d December, 1813.—In the town of Pensacola, in extraordinary Cabildo, held on the 3d December, 1813, in which the Governor of the province was President, and the other gentlemen who composed the late Ayuntamiento (were present) they treated on the following. The meeting was commenced by D. Martin de Madrid and D. Lorenzo Vitrian, shewing the statement which they had been charged to make by the resolution of yesterday, relative to the quantity of provisions in the town, the which, according to the said statement, consisted of *one thousand three hundred and thirty five barrels of flour*; the gentlemen voters, thereupon finding the place sufficiently provided with the above article (renglones) permitted the departure of the two brigs which are already laden and have got out their papers; but order that in future all exportations of provisions must be prevented until further arrivals, and his honor the President will pass an official note for that purpose to the Minister General of Finance; with which the session closed. I certify the same.

NOTE. In the one thousand three hundred and thirty five barrels of flour, are included the two hundred and fifty three found on board the schooner Montserret. Mathew Gonzales Maurique, Vicente Ordosgoity, Martin de Madrid, Francisco Gomez, Lorenzo Vitrian, Antonio Montero, Felix Tala.

No. 16. Act of the Cabildo, of 7th December.—In the town of Pensacola, in ordinary Cabildo, held on the 7th of December, 1813, his honor the Governor of the province presiding, and the other gentlemen who composed the late Cabildo being present, the sitting was commenced by reading an official note from the Surveyor General, accompanied by a draught of the plan projected for the regulation and making of the two squares of this town, *designating the lots for public buildings, and also those for sale between the two squares*, formed in virtue of the resolution of this Ayuntamiento, and said plan being examined and approved of by the gentlemen voters, it was resolved, that it be returned to the Surveyor for the purposes expedient, &c.

No. 17. Act of the Cabildo, of 23d of January, 1814.—In the town of Pensacola, in extraordinary Cabildo, held on 23d January, 1814, the Governor of the province being president, and the other gentlemen who composed the late Ayuntamiento being present, the session was commenced by his honor the President representing, that the deplorable and calamitous circumstances which prevail in this

town for the supplies wherewith to furnish meat for some days to the garrison, which is on the point of perishing, puts him under the disagreeable necessity of asking of this Ayuntamiento for an indispensable loan, from among the neighbouring inhabitants, of 200 head of cattle, in order to provide for such urgent necessity; requesting that a testimony of this act may be given him. After a long conference by the gentlemen of the council on the subject, knowing the critical situation in which the inhabitants are placed, and the impossibility of obtaining the said loan, because for many years they have been supplying the officers of this garrison, and the functionaries on their paper to great amounts, which they have no hopes to receive, and that, besides, they have contributed what they have been able towards the relief of the troops, whenever occasion has occurred, it was therefore resolved, unanimously, that to-morrow the rejidor, D. Martin de Madrid, and the inhabitants, D. Francisco Gomez. and D. Lorenzo Vitrian, charged with the sale of the lots, should proceed to the recovery of the amounts due for the same, with which the said gentlemen believe they will be able to purchase 200 head of cattle required. Ordered that I, the Secretary, give the testimony to the President, as he has requested.

Afterwards, the council requested that his honor the President, would please to pass another official note to the Minister of the National Finance, in order that he present to the public a statement of the funds which have entered into the coffers during the time of his administration, with the application of them, and also that all the credits pending in favor of the Treasury be liquidated and recovered; with which this act was concluded. I certify the same. Matthew Gonzales Maurique, Jaime Fontenals, Milan de Carera, Pedro Sans, for the Rejidor, D. Jose Tapiola, and myself, Joseph Maria de Pena.

No. 18. Official note from the Commander of Engineers, of the 23d April, 1813.—Having fully considered your official note of the 17th in reply to that of 2d instant, containing a copy for me of that which with date of 14th was passed to your honor by the intendant, ad interim, as also including a copy for me of the inventory of the articles of utility in the stores; counting on those, and considering the scarcity of money to procure the appointments in tools, &c. which I have asked for and believed necessary, I will disclose to your honor, that, supposing it impossible to complete the quantities and kinds demanded, and that the intendant intends to procure the mending and helving of such as are not fit for use, it is indispensable, that, instead of the number of hand barrows, dirt boxes, buckets &c. which I have conceived necessary, we afford what our necessities permit us; and await till he gives me the corresponding notice, to pass to inspect and distribute in proportion to the number of the said articles of utility, which may be got ready, adding 100 rammers and 50 grass ropes, of the small bundles sold by the Indians. I particularly recommend the axes to be fixed at the post of Barrancas. Next in consideration, as to the want of means to relieve our urgent necessities, and to attend to the defence of this province, I ought to propose to your honor the discretionary powers within my province, which cannot be otherwise

than great in a country of a small population, composed chiefly of military and functionaries, and, for the same reason, without industry sufficient to afford the requisite helps, nor could the powers I am going to point out, be of any other description, convinced as I am, of the prudence with which the intelligence of your honor has proceeded in the use of the means which this small and poor settlement is capable of affording. I said great, because it is that of *proceeding to the sale of lands; a discretionary power that is sufficient to provide some assistance.* I well recollect the many difficulties alleged as objections on another occasion to the same idea; the principal being the length of time which would be consumed in the measurement, valuation, publishing, and other formalities required. It was not then a suitable remedy for the necessity we were in for provisions, because there was then a judicial proceeding on the particular, which, being fully considered by his Excellency the Captain General, he, notwithstanding the desire evinced by him to encourage the inhabitants of this Province in its improvements, had not *dared* to determine the matter, but passed back the said judicial proceeding, that it might be addressed from this place to the supreme government, *without the decision of which there was no authority to proceed in an affair full of obstacles.* Necessity was always the most ingenious tutor, and will overcome inconveniences; our evils are grievous, and therefore we ought to employ uncommon remedies; there is no rule without exceptions, and I believe that our case is one of the most privileged ones. May we not then provide in time against necessities so urgent and super-eminent, when we can count on no other means of assistance than the very precarious ones from Havana? The wise and supreme Government cannot take amiss a proceeding impelled by imperious necessity, and directed to sustain its decorum, with the palpable results of privileged utility, if we succeed in preserving these sandy places to the nation by having remedied, as far as the proceeds of the proposed sale will go, the scarcity which threatens us, and given the indispensable motion to the industry of which the country is susceptible; *for the not granting property in lands is the same as to banish agriculture, and with it all the means of subsistence.* I conclude by stating to your honor that if the idea proposed should not be expedient, it is at least dictated with the most sincere desire for the good of the country. God preserve your honor many years. Pensacola, 23d April, 1813. Anastacio de Arango, to his honor Don Mauricio de Zuniga.

No. 19. *Official Note from the Engineer, D. Anastacio de Arango, of the 25th May, 1813.*—In an official note of 23d of April last, I proposed to your Honor's predecessor *the discretionary power of proceeding to the sale of lands, in order to remedy the urgent necessities of this garrison*—such as have not occurred in the course of 32 years, owing to an unfortunate concatenation, the consequences of which affect us at present, by a want of the means requisite in a country without industry. I have been induced to repeat the same idea by a continuation of the want of means, not only to supply what is requi-

site in my branch, but, also, to remedy others more urgent, at a time when the inhabitants are very near losing all hopes of the arrival of funds to satisfy the pending credits. Convinced of the validity of the reasons I before stated, and convinced on the other hand of the slow progress that would undoubtedly attend the affair to its conclusion, I believe, as I yet believe, that greater injury would result to the nation from the delay than an hastening, (if it may be so called) of the mentioned sale. I therefore proposed it, waiving even the consideration that above all things ought to be attended to, as its principal support, namely, the imperious necessity which impelled my proposition. But, happily, in this most important affair of public felicity, our wise and supreme Congress has given a convenient motion to the state of inaction in which we were placed with respect to the distribution of lands by the Decree which his Majesty has held proper to despatch on the matter, on the 4th of January, of the present year. *The 6th and 7th articles of the said benign decree*, joined to the absolute want of means to attend to the defence of the country, appear to me very powerful motives to proceed to the sale pointed out, without that delay which our necessities do not admit of; this being the only resource left us, and that with which the lost credit of the National Treasury may be in some measure restored: and as there is not a population in this province capable of employing even *the third part of the lands there are to distribute, there will be a surplusage for the reserve provided for in the 6th article*. The active credits in favor of sundry inhabitants against the National Treasury for sundry provisions furnished to maintain the garrison, will be discharged, as, also, the just claim which this and other functionaries have for the last 37 months, during which, they have not received their wages. God preserve your Honor many years, Pensacola, 25th May. 1813. Anastacio de Arango to his honor D. M. Gonzales Manrique.

No. 20. *Official note from the Commander of Engineers, D. Anastacio de Arango, of 3d August, 1813.*—The war declared by various tribes of Indians against the United States will most likely deprive this settlement of the auxiliary means of subsistence which they receive (particularly in winter) by the carts which descend from the American establishments of Tensaw and Alabama, because the crops will be much reduced by their being abandoned by the labourers, and partly destroyed by the Indians; for these reasons, together with the impossibility, from fear of the said Indians, of performing the long journeys which those carts have to make, the least of which is 32 leagues through a wilderness, the auxiliary means mentioned cannot be expected. To remedy this inconvenience, it becomes necessary to proceed immediately to collect a sufficient quantity of provisions for winter; the season of greatest scarcity likewise in Orleans. the only point from whence we could be able to obtain any, and in which place they must likewise feel the effects of the aforesaid war; and your Honor being without the means, and the National Treasury having lost its credit, there remains to your Honor no other resource than to call the attention of his Excellency the Captain General to the impossibility of providing, in this place, the necessary sustenance for the garrison,

so that his Excellency may have time to make the necessary arrangements to fulfil so necessary an object, while he ought to keep in view the very fatal consequences which must ensue from not employing the anticipated measures which the case requires, as, likewise, that the quantities of some articles of provisions cannot be fixed, owing to the uncertain consumption occasioned by the Indians, to whom it is necessary to give something, *that the evils of our situation may not be aggravated by a forfeiture of their good will towards us.* One alternative only, occurs to me, that is, that your Honor apply to the Constitutional Ayuntamiento, that, as they have before done, they may assist with their advice and patriotism to secure the supply for the town, and relief of the garrison. The gentlemen of that illustrious Cabildo, in the scarcity experienced in February of the present year, entertained the benevolent and generous idea of mortgaging their own property to a certain amount, for which, one of the council was to negotiate for provisions in N. Orleans, insuring the amount of the same (which was to be paid on the several times agreed upon) by the property mortgaged, and the losses which, from risques of the sea, enemies, or any other cause, might be therein sustained, to be on account of said gentlemen. The said provisions to be given to the town and National Treasury at the cost prices; and though this generous resolution did not take effect, we ought to believe it was on account of the scarcity of provisions felt at that period in Orleans, and perhaps they would be able at this time to realize it, adding, for the greater security of the contract, an estimate, and express mortgage of the national lands, and sales that may be made thereof, and which the luminous and well tried patriotism of the Cabildo, rendered easy to effect, in order to succeed in the project dictated by the most commendable disinterestedness of the gentlemen of the Ayuntamiento. God preserve your Honor many years. Pensacola, 3d August 1813. Anastacio de Arango, to his Honor D. Mathew Gonzales Maurique.

No. 21. *Official note from the Minister of Finance, Don Antonio Cabanis, of the 11th October, 1813.*—The Secretary of the constitutional Ayuntamiento of this place, Don Juan de la Rua, passed an official note to me, dated 6th September last, giving me notice of the determination of the Cabildo, in a resolution of the same day, to proceed, as provided by our civil constitution, by the Surveyor General of the province, to lay off the squares Constitution and of Ferdinand VII, as also the vacant lots, communicated to me, in order *that I should state if any objection occurred to me to its being carried into effect.* And it appearing to me to be an affair requiring consideration, I deferred the answer, in order to acquire the necessary information, and be fully competent thereto. In another official note of the 6th instant, the said Secretary requires of me, by a resolution of the same Ayuntamiento, the answers to two other official notes, which he says he passed to me on the 9th and 20th of the said month of September, in which it appears there was some mistake, as is sufficiently clear from the tenor of the answer which I gave him on the same day, 6th, because the official note of the 9th, is that which I have first mentioned, and

that of the 20th did not come to hand until after the demand, when he delivered me the duplicate in which the same subject is included, adding that the Ayuntamiento desires that I proceed to the delivery of the land archives, the adjudication of which has been heretofore in charge of the Intendancy, because it is said that this business appertains to that body.

As to what relates to the first point, respecting the regulation of the two squares and vacant lots, treated of in the first official paper, *no difficulty whatever presents itself to me*, and I have so stated to the Surveyor General, Don V. S. Pintado, in answer to his official note of the 7th inst. in which he inserts another, which was passed to him by the aforesaid Secretary, on the same subject.

Grounding my decision on the law of the 10th of January last, which your lordship was pleased to send me with that of the 8th May following, your honor, and the gentlemen of the Ayuntamiento, will be informed, by the copy I annex, of my good intentions to contribute to the object of their deliberations, which I conceive to be no other than that of attending to the preservation of this province, so destitute of resources and succors. With respect to the second point which is reduced to the delivery of the land archives, I have been in the same belief that I ought to do it, but, on reading the said law of 4th January, several times over, I find a difficulty presents itself, as nothing is determined in it particularly respecting *what* shall be delivered; and referring to what is provided in the three first articles, I observe that the fourth says, "*The provincial deputations will propose to the Cortes by means of the regency, the times and the terms in which it may be suitable to carry this arrangement into effect, in their respective provinces, according to the circumstances of the country; and the lots that it may be necessary to reserve to the municipalities, so that the Cortes may determine what may be most expedient for each territory;*" and unless the resolution of the Cortes be dropped, it appears to me that it would be to anticipate provincial decrees, which, in such a case, would occasion many errors, which, afterwards, would be hard to remedy.

Besides which, I ought to state to your honor, that the greater part of the books and judicial documents, or rather almost all, are vouchers of the accounts of funds, not only during the time that the Intendancy has subsisted in this place, since the early part of the year 1806, but also what was found in the province of Louisiana; and it was charged with the adjudication of land claims in the year 1799; so that to part with the said documents (indispensably requisite to prove the respective settlements of the accounts) would be to deprive all those responsible, of the power to produce the vouchers of their discharge, and much more should I be committed in having been the occasion of so notable a defect. Notwithstanding, after my having received the aforesaid law, I cannot, neither ought I, to have any control over the grants and sales of lands, which before were appendant to the Intendancy, and at present appertain to the Ayuntamiento, it appears to me, that, in any case which may occur, that body may apply to the Surveyor General, Don V. Pintado, in whose office may

be found (or obtained) all the information necessary, and, in case of doubt, they may have recourse to the proprietors and owners of houses, lots, and lands: *because each one of them ought to have his title executed in due form.* All which I communicate to your honor, for the information of the gentlemen of the Ayuntamiento, of which your honor is President, and in reply to the aforementioned official notes from the Secretary thereof.

CERTIFICATE.—By Don Carlos Reggio, Lieutenant of Louisiana regiment of infantry, and Secretary of the Government of West Florida.

I certify, that the copies of the acts which precede, numbered 1 to 17, are taken from the books of the Ayuntamiento, which were formerly in this place, and which remain deposited in this office of Secretaryship, under my charge, and that they are conformable to the originals: as also are those of the four official notes under Nos. 18, 19, 20, 21, likewise found in said office, and that the same may be evident, pursuant to the decree which precedes, I give the present in Pensacola, on the 10th of September, of 1816. (Signed) Reggio.

Here follow the copies of the official papers found in the office of General Surveyorship of this province:

No. 1. Official note from the Ayuntamiento of the 6th October, 1813, to the Surveyor General.—In a sitting held by this constitutional Ayuntamiento on the 5th instant, his honor the Governor being President, it was resolved to write you officially, that you proceed, as Surveyor General of this province, to lay off the squares of this town, according to usage and law, as likewise the lots which, by the arrangement of these, may be found vacant, together with the other lots of the town, and specify the number of lots contained in the place formerly destined for a church, &c. By order of the said body, I communicated the same to you for your intelligence. God preserve you many years. Pensacola, October, 6th, 1813. Juan de la Rua to D. V. S. Pintado.

No. 2. The same transcribed to the principal Minister of Finance, by the Surveyor General, on 7th October, 1813.—With date of yesterday, the Secretary of the Constitutional Ayuntamiento, informs me as follows: In a sitting, &c. The which I communicate to you, that you may please to inform me what you think of the matter, or what I ought to do. God preserve you many years. Pensacola, 7th October, 1813. V. S. Pintado. To Don Antonio Cabanas.

No. 3. Answer of the principal Minister to the Surveyor General, same day, 7th of October, 1813.—Having fully informed myself with respect to the subject of your official note of to-day, in which you transcribed for me one which, with date of yesterday, was passed to you by the Secretary of the Constitutional Ayuntamiento of this place, Don Juan de la Rua, stating the resolution passed in sitting of the 5th inst. that you proceed, as Surveyor General of the province, to lay off the squares of the town according to usage and law, as also the vacant lots and others in the town, and specify the number of lots

contained in the sectional division (Manzana) which was destined for the building of a church, &c. I ought to inform you, in compliance with your request, that, by the *law of 4th January last*, ordered to be printed, published, and circulated, and complied with, which was decreed by the Supreme Council of Regency, on the 7th of the same month. it is ordered, *that the unappropriated lands be converted into private property, and the cognizance and distribution of the same be committed to the Constitutional Ayuntamiento, subject to the provincial deputations.* for which reason I can have no objection to your compliance with the desires of the Ayuntamiento, especially as this body is invested with the legitimate authority. and are directing their views to the public good, and to attend to the urgent necessities of this province, destitute of means for its preservation. I thus conclude my answer to your official communication; but ought to observe that you will have to agree with the said Ayuntamiento for the gratification corresponding to your extra services. God preserve you many years. Pensacola, 7th October, 1813. (Signed) Antonio Cabanas. To Don V. S. Pintado.

No. 4. *Official note of the Surveyor General of 11th October, 1813.* By your official communication of the 6th inst. you was pleased to communicate to me, by order of the Ayuntamiento of this district, of which you are Secretary, that, in their sitting of the preceding day, it was determined by said Ayuntamiento, presided by the Governor of the province, to direct me, as Surveyor General, to proceed to the survey of the squares of this town, conformable to law and usage, as also of the lots and other property, which, agreeable to the plan, may be vacant; and to specify, at the same time, how many lots are contained in the area destined for the construction of a church. I transcribed the said official communication to the principal Minister of Finance, and the same day said officer replied to me according to the tenor of the accompanying copy, marked No. 1; in consequence of which, I now proceed to answer you in the order of the subject-matter of which your communication of the said decision treats. "For the laying off or demarcation of the squares of this town, and ascertaining the number of lots which may prove to be vacant after the regulation which is solicited, it would be necessary to know if one is to be left at each extremity, of equal extent, for symmetry; as the laying off the same is to be agreeable to law, whether it be understood by this expression what is prescribed in *law 9, title 7, book 4, of the Digest of the Indies*: in this case, which of the dimensions, which the said law directs, would be suitable for the square or squares of this town? It would then become necessary to form a diagram, representing the actual extent of the ground, and situation of the houses, buildings, and lots, of the national domain, or of private property, within its present area: the form and figure which is wished to be given to the same by the proposed arrangement, &c. in order that it be laid before the Ayuntamiento for their determination, alteration, or whatever they may decree the most expedient, and conformable to right, agreeable to the tenor of *the law of the 4th January*, cited by the

Minister; making to me, in anticipation, such other observations and advertencies as the Ayuntamiento may judge conducive to the fulfilment of their desires, and for avoiding embarrassments which paralyze the operations. It would not appear to me superfluous that one of the Aldermen should be appointed to have an understanding with me as to the details of the scheme, in order not continually to be molesting the attention of the Ayuntamiento. If by the other lots of the town, is understood those which still remain to be distributed, the accompanying note No. 2, of the information which I gave to the principal Minister of Finance, on the 13th of April last, as well of the town lots as those of the suburbs, then vacant, which were subsequently put up at public sale, will serve for their intelligence. As to the number of lots sold, the said Minister can give better information, as I have not yet an exact statement of the same, I have to advert that in my official letter which accompanied the said report, I stated that the lots situated to the north of the yard of the barracks, and bounded by the same, which the late deceased Lieut. Col. D. Jose Noriega possessed and claimed, and which, by the new plan and arrangement of this town, was designated by No. 352, and ordered to be struck from the plan, as belonging to the state, as stated in the official letter of the late Governor of the province, D. V. Folch y Juan, of the 30th of August, 1809, in conformity with which the said number was affixed to another lot, which was added to the town. I also informed him that a judicial proceeding was pending, relative to a piece of ground of a triangular form, which was to be added to the lots of Beltrane Suchet and Thomas Villeseca, in the eastern extremity of the square, in order to correct a deformity, on their paying the price of its appraisement. *The place which was destined for the building of the church, &c. is the division 24, situated between Intendencia, Romana, Del Bru, and Maresa streets, and contains 12 lots, of which by the new map and general plan, which was formed of the town, 72 feet front, with the corresponding depth, were destined for the house of the King's Storekeeper, D. Francisco Gonzales de Jonte, after which there is another with some houses, which are said to be D. E. Sierra's, for which lot I know no other title than that of the possession for some years.* All which you will be pleased to lay before the illustrious Ayuntamiento, in reply to your official communication. God preserve you many years. Pensacola, 11th of October, 1813. (Signed) D. V. S. Pintado. Addressed to D. Juan de la Rua.

No. 5. *Reply of the Ayuntamiento to the Surveyor General, made on the same day, 11th October, 1813.*—The members of the Constitutional Ayuntamiento of this town, having been made acquainted with the official letter, which you was pleased this day to address to me, determined on naming D. Francisco Gomez, Alderman of the said Ayuntamiento, in order that, in concert with the said gentlemen, you may proceed to the formation of the plan of this town, the extent of its square, or squares, and the symmetry which ought to be observed. As soon as it is finished, you will please to present it to the Ayuntamiento for their approbation, and carrying the same into effect, or amending

it if they deem it expedient. God preserve you many years. Pensacola. 11th October, 1813. Juan de la Rua. To D. V. S. Pintado.

No. 6. *Official Note of the Surveyor General to the Ayuntamiento, dated 20th October, 1813.*—Pursuant to a decree of the Constitutional Ayuntamiento of this district, in the sitting of the 11th inst. which you communicated to me under the same date. I wait on you with a *diagram for the repartition into twelve lots of the division No. 24, which was destined for a church*, in consequence of the Alderman D. F. Gomez (authorized for agreeing upon the details of the operation referred to in said decree of the 11th) having ordered to commence the same by said division, for the purpose of disposing immediately of the valuable lots thereof, and of *four parcels of ground which become vacant by the reduction of Tarragona street to the width of only sixty feet*, as you will see by the plan, by reason of the extreme distress which threatens us, and while what relates to the squares, their arrangement, and subdivision of the excess that can be properly combined and laid off, as has been ordered, as all the necessary explanation for the clear understanding of the same is subjoined in a note to the said plan. I omit a repetition here, and have only to observe to you, that a duplicate of the whole remains in this office for the purpose that may be expedient. You will be pleased to present the said plan to the illustrious Ayuntamiento, in order that, on the inspection of the same, they may resolve what they may consider most suitable, and to advise me of what they may be pleased to alter or modify. If the draught or diagram should be approved and ordered to be adopted, you will have the goodness to inform me thereof, and to enclose a copy of their decision, in order that it may appear, in evidence, in due form, in the archives under my charge, adverting that the whole is marked on the ground exactly as it is represented in the plan: in the event, therefore, of its being approved, there will be nothing further to be done on my side in the matter. God preserve you many years. Pensacola, 20th October, 1813. (Signed) V. S. Pintado, addressed to D. Juan de la Rua.

No. 7. *Reply to the same, made on the 25th of said month, 1813.*—In an extraordinary council held by the Constitutional Ayuntamiento of this town, at their sitting on the 21st of the current month, the official letter which you was pleased to address to me having been read, and the plan presented for their approbation, the members of the Ayuntamiento, with a full knowledge of the whole, resolved that it was perfectly regular, and met their approbation: they further directed, that you should proceed, in concert with Don Francisco Gomez, until the conclusion of what remained to be measured, including the lots which the Syndic stated (agreeable to the accompanying list) would be disposed of in continuation of those of the square. God preserve you many years. Pensacola, 25th October, 1813. (Signed) Juan de la Rua, Secretary, addressed to Don V. S. Pintado.

No. 8. *Official letter of the Surveyor General to the Ayuntamiento, 2d December, 1813.*—I wait on your honorable body with a draft of the plan for the regulating and delineation of the two squares of this

town, designation of the lots for public buildings, and of those which may become saleable between the two squares, formed in concert, and with the intervention of the Regidor, Don Francisco Gomez, pursuant to the orders of your honorable body in the sittings of the 5th and 21st and 11th of October last. As soon as the said draught (or scheme) shall have been examined, and your honors may be pleased to direct its adoption, or any alterations or modifications which you may deem expedient, you will please to return it to me with corresponding annotations, for the purpose of carrying into effect what may (be) determined on in making the copy which would remain in my keeping. God preserve your honors many years. Pensacola. 2d December, 1813. (Signed) V. S. Pintado. Addressed to the illustrious Ayuntamiento of this place.

No. 9. Official letter of the Alcalde D. Jayme Fontenals of the 21st of April, 1813.—In the Council of the 18th inst. among other things it was resolved that an official letter should be passed to you requesting you to furnish Lieut. D. Bernado Prieto, Volunteer Engineer, in charge of the department, with a copy of the new plan, or to favor him with the diagram for the purpose of copying it, informing him of every thing which it embraces, agreeable to the solicitation of the said engineer, through the medium of the Governor of this Province. Pursuant thereto, I communicate the same to you for your information, and that you may please to carry it into effect. God preserve you many years. Pensacola. 21st April, 1814. (Signed) Jayme Fontenals; addressed to D. V. S. Pintado.

No. 10. Reply of the Surveyor General, made on the 22d of April, 1814.—In a reply to your official letter of yesterday, I have to state, that I have no objection to furnish the plan requested by the Volunteer Engineer, D. Bernado Prieto, in order that he may copy it, and inform himself of every thing which it embraces, under the express condition that it shall be returned to me as early as possible, as it belongs to this office, where it is daily wanted, seeing that is the only document whereby the situation and figure are known of the lots sold or ordered to be sold by this Ayuntamiento, between the squares of the Constitution and Ferdinand 7th, and evidence of the approbation and other requisites. You will please to name the person who is to receive it from me, in order that, at the time of its delivery, he may furnish me with the corresponding voucher. God preserve you many years. Pensacola. 22d April, 1814. (Signed) V. S. Pintado; addressed to D. Jayme Fontenals.

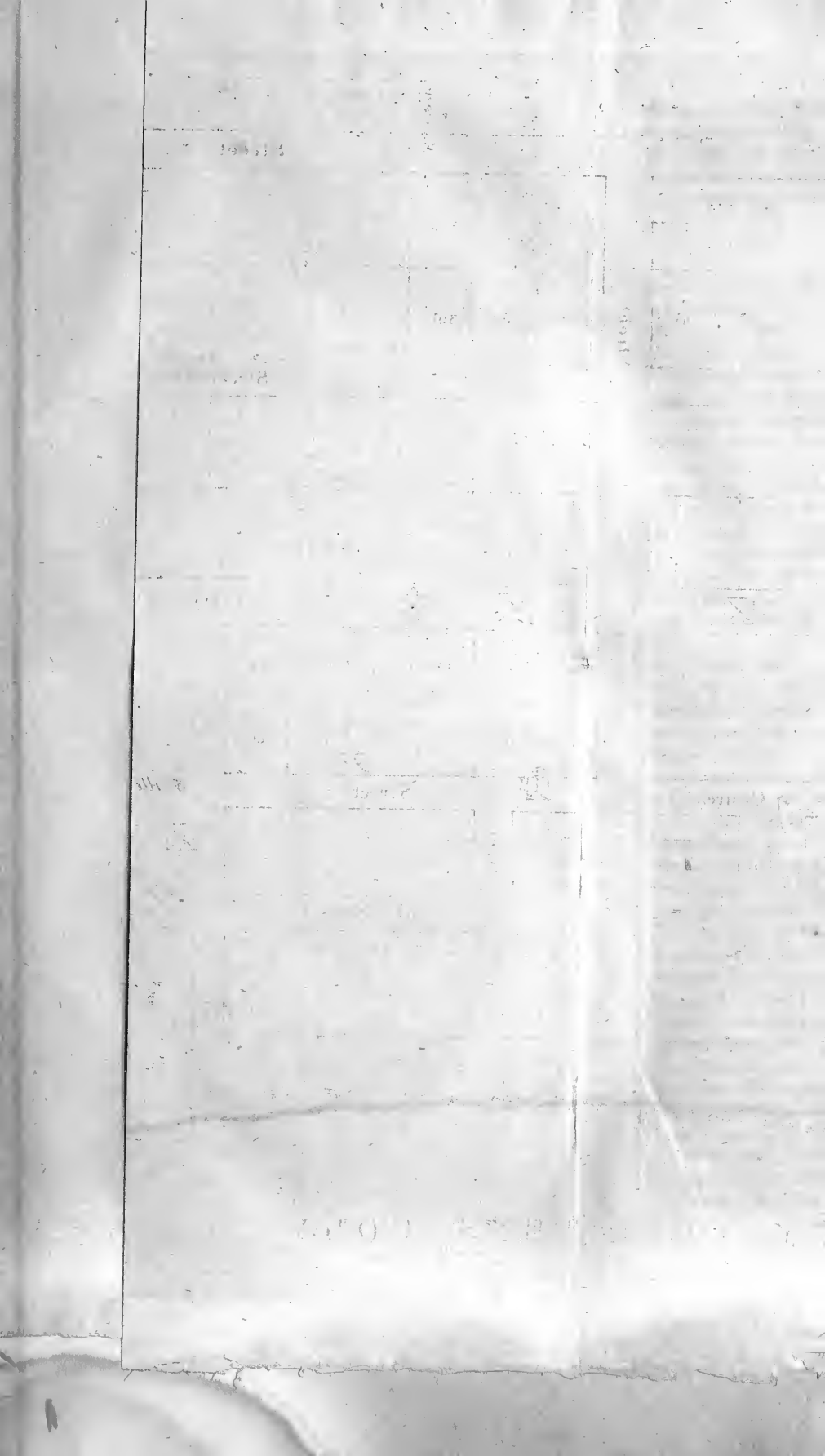
No. 11. Official note of the Governor ad Interim D. Jose de Soto, to the Surveyor General, dated 19th August, 1815.—Please to furnish me, as soon as possible, with a duplicate copy of the plan of this town which was made by you, in consequence of the new figure which was given to it by the Ex-Ayuntamiento for the subdivision into lots of what was the military square, and the other ground plats, destined for the church and military buildings. God preserve you many years. Pensacola, 19th August, 1815. (Signed) Jose de Soto; addressed to Don V. S. Pintado.

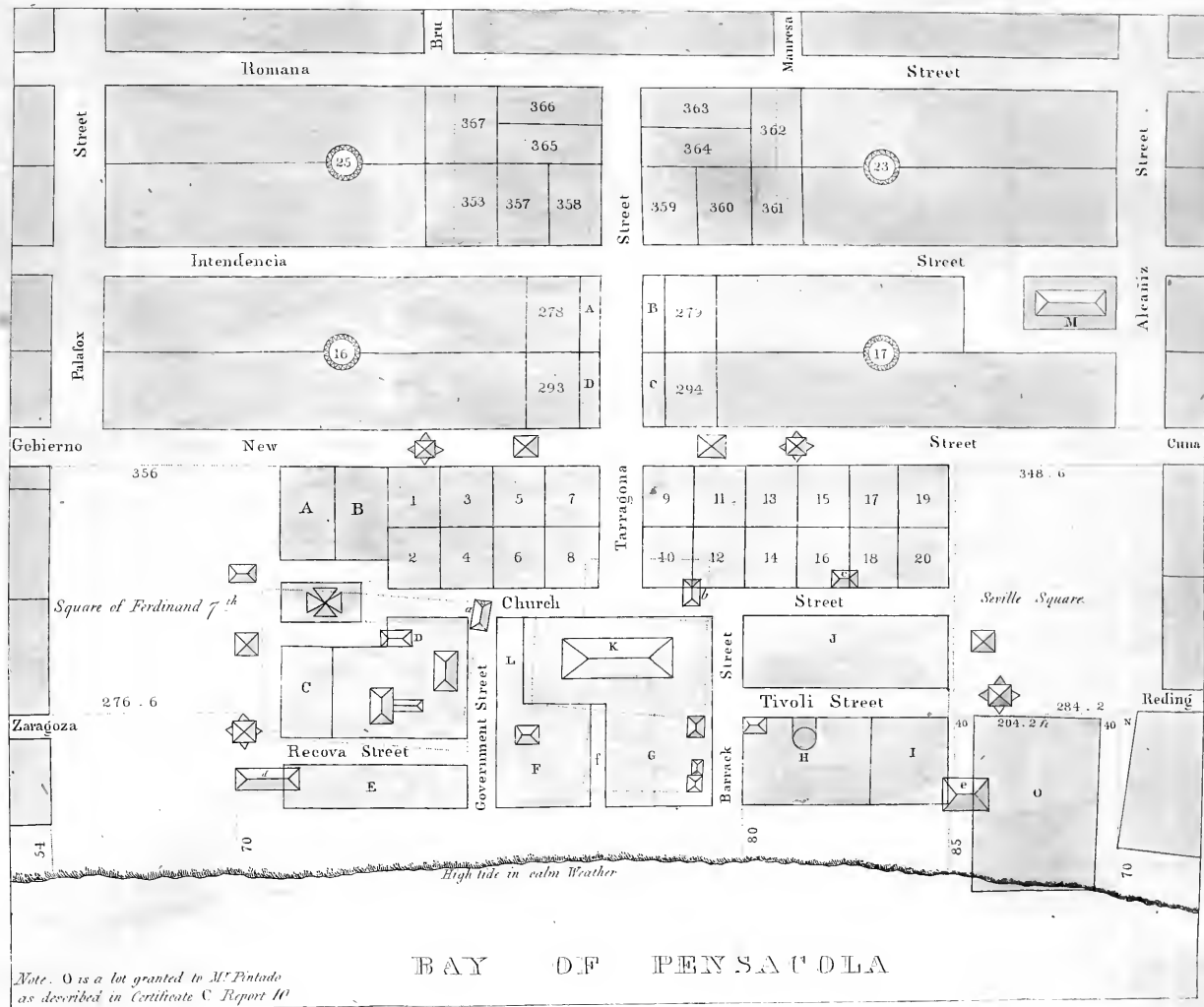
Certificate.—Don Vicente Sebastian Pintado, Captain of Infant-

ry, and his Majesty's Surveyor General of West Florida: I certify that the preceding, numbered from one to eleven, are conformable to the originals which are in this office under my charge, to which I refer, and in compliance with the preceding decree, I give the present, in the town of Pensacola, this 13th day of the month of September, 1816. (Signed) V. S. Pintado.

Projected plan for the distribution into lots of *division 24, of the town of Pensacola, which was destined for the building of the church and other public erections*, agreeable to the resolution and decision of the constitutional Ayuntamiento of this district, in their sittings of the 5th and 11th inst. and with the consent of the principal minister of public finance, in his official note of the 7th instant, which plan (or scheme) was formed, in concert with the advice of the Rejidor, D. Francisco Gomez, who assisted in the operations, being authorized, by the said Ayuntamiento, in their sitting of the 11th, for this purpose, communicated to me through the secretary, at the request of the aforementioned Rejidor, who directed the commencement of same before the regulation of the squares, and that a separate diagram of its subdivisions for the purpose of effecting the sale of the lots, in consequence of the urgent necessity, this being the spirit of their deliberation, though not expressed in their official letter of the 11th, in which the secretary communicated to me the resolution in their sitting of the said day.

Explanations and advertencies.—The division 24, separated into two parts by Tarragona street, which is prolonged for the present, and these two parts were united, the one including Mancesa-street as far as division 23. the other including Bru-street as far as division 25. in consequence of which it will be necessary to affix the number 24 to another division of a new location, in order not to interrupt the series of the numeration of the divisions. The said two parts of the division 24 are represented in *red* on the plan, and contain the twelve lots designated by the numbers 353 until 367 inclusive, of which number 353 is where the house occupied by Don Francisco Jonte is situated, and 357 has some small houses of Don E. A. Sierra. The reason of passing from 353 to 357 is because the first was given to the lot under this number, in the arrangement which was made by the Government and Intendancy in 1808. and the 357 is that which follows in a regular series, after the last number of the lots which were before located in the town, which amounted to 356; the twelve lots of which division 24 was composed are all rectangular, and their dimensions are marked in the plan in feet and inches of London, the measure in use in this town, and the dotted lines denote the fences actually existing. Tarragona-street, which was of an enormous width, was reduced to 60 feet, as the Rejidor represented the same; in consequence thereof, the four parcels, A, B, C, D, between the said street and lots numbers 278, 279, 293, 294, become vacant, the dimensions of which are also noted, and what the Rejidor stated, that they might be adjudicated to each of the owners of the said four lots on which the





Note. O is a lot granted to M. P. P. as described in Certificate C Report 10

BAY OF PENSACOLA


portions in question bound, for their appraised price, in order to conciliate the regulation of the street with the general and individual interest of the proprietors of the aforementioned four lots, whose names are also expressed in the plan. Pensacola, 20th October, 1813. (Signed) V. S. Pintado. Francisco Gomez. The present is a copy of the one delivered to the Ayuntamiento. (Signed) V. S. Pintado. Francisco Gomez.

Certificate.—Vicente Sebastian Pintado. Captain of Infantry, and his Majesty's Surveyor General of West Florida. I certify that the present plan, with the antecedent title and explanation, is a literal copy from the original, which is in the archives under my charge, to which I refer, and pursuant to a decree of the 4th instant, I give the present, in Pensacola, 18th September, 1817. (Signed) V. S. Pintado.

Plan 2.—Draught of the new plan for regulating the two squares in the town of Pensacola, at the eastern and western extremities of the present one; determination of the extent of each, and the position and dimensions of the ground plots destined for the building of a church, and other public edifices, correction, regulation, and demarcation of the latter at present, or previously existing, and of those belonging to individuals. Subdivision of the excedent ground for saleable lots, representation of the public buildings according to their actual situations, &c. formed and delineated by D. V. S. Pintado, Captain of Infantry and Surveyor General of W. Florida, pursuant to an act and resolution of the illustrious Ayuntamiento of this district, in their sittings of the 5th, 11th, and 21st of October last, with the concurrence of the principal minister of finance, in his official letter of the 7th of the said month, and in conformity with the directions of Don Francisco Gomez, specially authorized in their sitting of the 11th, to agree with the said Surveyor in the details of the plan.

Explanations and advertencies.—To the western square, formerly called that of Ferdinand 7th, has been affixed the name of the square of the Constitution, conformably to order of the general and extraordinary Cortes of 1812, and to the eastern square, formerly called Seville Square, has been given the name of Ferdinand the 7th. The dimensions of the squares and lots projected and laid off, and of those which are actually fenced, are noted in the plan in feet and inches of London, the former with black cyphers, and the latter with red; the black lines between the two squares denote the demarcation projected, and the red represent the actual figure and situation of the lots and fences as they at present stand; the cyphers within the dotted black lines, denote the width which is left to the squares and streets, and the red cyphers within the red dotted lines represent the measurements made to ascertain the situation of the existing lots and buildings, and for the purpose of showing their situation on the plan. The block houses and other old buildings belonging to the national domain, which remain in the squares, and in the new street, and which now serve for magazines and barracks, as, also, the guard house (a) in ruins, which remains in Commandencia street, will hereafter have to be demolished, when it may become necessary to

build others, and, also, the house (*b*) in ruins, which remains in Church street. and which, with the lot to the north of the barracks (*K*), is claimed by the heirs of the deceased Lieut. Col. Jose de Norriega. The present military kitchen (*c*), the present church, (*d*), and the house in ruins (*e*).

References.—() lot for the church (*A*) idem for the consistory and principal corps de guard, (*B*) idem for the public gaol, (*C*) idem for the custom house and revenue office, (*D*) the intended reduced area of the ground on which the government houses stand, and the garden, the actual dimensions of which are represented by the red lines, (*E*) grounds reserved for the market house and public magazines, (*F*) ground and house belonging to the Rev. James Coleman, from which is taken off the portion marked for the purpose of straightening Commandencia street, and for which he is indemnified by other portions to the north and east of the lots contained between the black and red lines, (*G*) houses and lots belonging in moiety to Pablo Graupera and Francisca Tillas, who consented to relinquish twenty feet of the eastern side for a lane, (*f*) for the purpose of giving an egress from the barracks, (*K*) to the bay on condition that a like extent should be given them on Barracks street, which was of 60 feet width, and is reduced to 40, like the others of this plan, and to whom it would be expedient to convey, for their value, the portions to the north and south, designated between the black and red lines. for the purpose of completing the regularity and symmetry, (*H*) lot on which stands the ball room and building of D. Juan Cazenave and D. Juan Francisqui, (*I*) ground reserved for a national hospital (*J*) ground of the old barracks which were burnt, reserved with the extent laid down for their eventual rebuilding, and for their kitchens, and for those of the actual barracks, as the present one is situated on the saleable lots, No. 16 and 18, (*K*) actual barracks with their area or yard, to which two portions to the east and west are added, and those to the north and south taken off, (*L*) lot for the building of the national magazines, (*M*) the present public prison and principal corps de guard, with the area which is destined for the same by the arrangements of 1807 and 1808 and 1809. (*N*) triangle. which, by the aforesaid arrangement was directed to be added to the lots of Beltran Suchet and Thomas Villaseca, on their paying the appraised value, in relation to which, the judicial proceeding was followed up, (No. 1.) lot for a public school, (No. 2.) lot for the parish vicar, (No. 3, until 20 inclusive) saleable lots, unless any of them should be separated for the aforesaid deceased Lieut. Colonel. Pensacola, the 1st Dec. 1813. (Signed) V. S. Pintado, Francis. Gomez.

In this day's session, the present plan was approved of in all its parts in this constitutional Ayuntamiento, and the carrying the same into effect was decreed, and by order of the same, I record it in the town of Pensacola, 7th December, 1813. (Signed) Felix Tala, Secretary ad interim.

Certificate.—Don Vicente Sebastian Pintado, Captain of Infantry, and his majesty's Surveyor General of West Florida. I certify, that

the present is an exact transcript from the original, which, with its explanatory notes, exist in these archives, under my charge, to which I refer, and pursuant to a decree of the 4th of September last, I give the present in Pensacola, this 31st of October, 1816.

NOTE 1st. To the squares in question, the names of Ferdinand, the 7th, and Seville, were restored after the publication of the *Royal Decree*, dated in Valencia, 1814.

NOTE 2d. The copy of the old plan of the square, which was asked, is omitted, as the whole is included and represented in the present plan. Date ut Supra. (Signed) Vicente Sebastian Pintado.

Petition by the Reverend James Coleman.—To the Governor and Sub-delegate of Finance, Don Santiago Coleman, Vicar, and Ecclesiastical Judge, of the Parochial Church of St. Michael, of Pensacola, respectfully represents, to your honor: That, from time immemorial, division 24, of this town, was destined for the building of a church thereon; doubtless, from its situation, with regard to the ancient figure of the town, and as most conformable to the spirit of the *law 8, title 7, book 4, of the Digest of the Indies*. He represents, that the dedication of the said lot, to so holy a purpose, is not of mere tradition, because, exclusive of the sanction given to the same, handed down from one to another in regular succession, it derives a further confirmation from the assent, at all times given thereto by the constituted authorities, and particularly from the Intendant of this Province, D. Juan Ventura Morales, and the Governor of the same, D. Vicente Folch y Juan; when, in the year 1807, the former proposed to the latter that the plan of the town should be regulated anew, and a permanent figure given thereto. Thus he expresses himself, in the fourth observation contained in his official letter of the 26th August: "The ground destined for a church is diminished, on the western side, by the houses of the King's Storekeeper, D. Francisco Jonté, and that occupied by D. Francisco Morejou; it would therefore appear proper to reduce the said lot in the same ratio on the eastern side, so that the church may face the wide street, with its corresponding collateral streets, for the purpose of facilitating the communication to the part situated in the rear of the church." And the Governor, in acceding to the arrangement of the new plan proposed, replies in the following words, as contained in the fifth paragraph of his official letter: "The fourth observation refers to the diminution which has taken place in the sectional division destined for a church, and other public buildings, by the lots on which are situated the houses of the King's Storekeeper, D. Francisco Jonté, and those of captain D. Juan Domingues, now occupied by the lieutenant D. Francisco Morejou; if therefore the church, and other buildings should be erected, as I have reason to believe, there is no doubt that Domingues' house, on account of its smallness, and bad construction, ought to be demolished, because it was granted on this condition; that of the King's Storekeeper, on account of its solidity and spaciousness, ought to be purchased for account of the crown, or the public, for a rectory and dwelling of the Vicar of the Parish, because I consider it would be more beneficial

to the King to acquire this property, than to make new erections. The street may remain in the space allowed for this purpose, between the said house belonging to Jonté, and the lot No. 169." The Surveyor General, in his official letter of the first March, 1808, accompanying the new plan, submitted to, and approved by the Intendancy, and Government, likewise recognizes the said lot, as appropriated for the church, as it states in the ninth paragraph: "In the series of numbers of lots, the four granted within the old military square are included, and also that in the occupation of the King's Storekeeper, D. Francisco de Jonté, in division 24, reserved for the church, and other buildings." This granted, the church had an incontestible right to the said division No. 24, or to the greater part of it, notwithstanding there was no concession made with accustomed formalities, as the general agreement upon this point ought to be looked upon as an incontrovertible title. Notwithstanding what has been said in the year 1813, when the garrison was reduced to the last stage of distress, in consequence of the inability of the Government to victual them, owing to the total want of funds for the purchase of provisions, the Ayuntamiento, animated by their desire to preserve the town and troops, and considering the ground in question as unfit for the high purpose for which it was intended, in consequence of its being boggy, and having no population in its rear, although in the centre of the town, directed that it should be laid off into lots, and sold for the purpose of procuring supplies for the garrison, and those attached thereto; these were subsequently sold, and the delineation and regulation of the squares were simultaneously ordered, *agreeably to the spirit of the law 9, title 7, book 4, of the Digest of those Kingdoms*, which was accordingly done, and the ground in the larger square of the two was designated for the building of a church, and other necessary edifices for the services and uses of the same; and other lots were assigned for royal and public buildings, such as the custom house, revenue office, corps de guard, prison, hall, and offices of the Ayuntamiento, &c. and the remainder was divided into other lots, which were laid off and sold in like manner as those of division 24, by beat of drum and public crier, as is the custom, for the like purpose of relieving the garrison. The exponent trusting in the firmness and stability of these dispositions, which were carried into effect with scrupulousness and solemnity, yielded his tacit consent by the mere circumstance of having made no opposition thereto; but it afterwards happened, that when some of the purchasers were about to enclose and build on the lots, which they had bought and paid for between the two squares, the predecessor, ad interim, of your honor, *Col. Don Jose de Soto, stopped them, and used his efforts, by writing, to have the whole annulled by superior authority*, regardless of the incalculable damage and confusion which he was about to occasion; and, although the result is not known, the church has since that time been despoiled, or, at least, without any security for what belongs to it; as such a long interval has elapsed, without any decision having transpired, the petitioner fears that, if he should preserve a longer silence, in relation to this

property of the Lord's, and should it be lost, he would be accused of unpardonable neglect. Therefore, following the council of father Saragoza, who tells us that brevity should not be made at the cost of the object treated of. nor of perspicacity. the exponent is under the imperious necessity of submitting to your Honor this prolix representation, in order, that, after due consideration of its tenor, you may be pleased to decide definitively as to the allotment of the ground for the building of a church. And, if in a suitable place, and not operating to the injury, or liable to be claimed by any other individual, you will cause the proper patent to be issued, in order that, under this security, he may immediately commence taking steps to have a church built, as the store is so indecent in which Divine worship is temporarily celebrated, and its being further threatened with approaching ruin, for which purpose. and there being no funds belonging to the fabric, not even the *Oblata* assigned by his Majesty. which has not been received during seven years. it is intended to solicit the aid of the faithful parishioners of this parish, and of those of the city of Havana, as also of his Lordship, the Bishop of the Diocess, for such contributions as their christian piety may induce them to grant, as an homage rendered to God; having recourse, at the same time, to the chief of the department of finance. in order that he may be pleased to assign therefrom the third part of the costs of same, as prescribed in the laws 3d and 5th of the second title, book 1st. of the Digest. I, therefore, beg and entreat, that your honor will please to order and determine, as I have solicited, being conformable to justice. and in furtherance of the service of both Majesties. Pensacola, 5th Aug. 1815. (Signed) James Coleman.

Order. Pensacola 21st September, 1816, let the Surveyor General report, (signed) Maxent.

Report of the Surveyor.—To the Governor and subdelegate of finance. The statement made by the Vicar and Ecclesiastical Judge of this holy parochial church is so clear, genuine, and conformable to the documents relative to this matter, which exists in these archives and to the traditions, laws, facts, and events which he quotes, that I have only to refer to his narration of the same. The church is indeed despoiled of the lot which was reserved for it. and without security for the one which was afterwards designated, from the reasons which he alleges when by order of the late Ayuntamiento the squares were regulated and their dimensions fixed, due regard was had to what the law prescribes, *law 9, title 7, book 4, of the Digest of the Indies*, and which is couched in these words, ‘Should the principal square where the town is to be commenced, be on the sea coast, it ought to be made at the landing of the port, and should it be an inland situation, then in the centre of the town, in the form of an oblong, of at least one and a half the length of its width, because it will be more suitable for processions on horseback and others; its extent ought to be proportioned to the number of the inhabitants, and it ought to be kept in view, that the town may gradually increase; it ought not to be less than 200 feet in breadth, and 300 feet in length, nor greater than 800 feet in length,

and 532 in width, and it will be of a middling and good proportion if it should be 600 feet in length, 400 in width, &c."

The 8th law of the same title and book, was also taken into consideration, as it relates to the locality for the building of the church, which, although the town should border on a coast, directs that it should be erected in such a situation that it may be seen from the sea, and the fabric to serve as a defence of the port. appropriating lots near the same for this purpose, and not in the continuation of the town where there are royal buildings, and shops belonging to individuals." In conformity with the said laws, seeing the small extent of this town, and the inconsiderable number of its inhabitants, *356 feet English were assigned to the principal square for its width from side to side, and 620 feet English for its length, likewise extending to the Bay on the shortest side*, and hence the two squares are of middling extent, and well proportioned, according to the spirit of the law, seeing the difference between the foot of Burgos and that of London, for a town of so few inhabitants of every description, which scarce amounts to 2,000 of every color, sex, and age, having located in the principal square the lots for the erection of a Church and other buildings, in a suitable situation, and conformable, in my opinion, to the legislative provision, and to the adaptation of local circumstances, as your honor may best acquire a knowledge of by the plan or drawing which is in the Secretary's office of this Government, as copied from the original, which is in the office of the archives under my charge. Thus was reduced to two squares, that vast plane of indeterminate space which was previously of *1,725 feet in length, by 1,006 English feet at least in width*, and which afterwards, by the two sectional divisions granted and distributed in the year 1804, by Don Vicente Folch y Juan, late Governor of this province, was reduced to the same *length 1,725 feet English, and to the width of 620 feet on the shortest side as far as the Bay*, which are the dimensions which it still has, in consequence of the suspension of what was done by the late Ayuntamiento, and which is improperly called a square in all its extent, having in its centre, and scattered without order, so many houses and buildings, belonging both to the crown and individuals, and even were it otherwise, what an enormous square would it be for a town like this, when few of the most famous cities have one of equal extent! I have said plane or indeterminate space, because, besides the two sectional divisions, other grants of lots have been made therein to individuals; others obtained permission to build on and fence a portion thereof, and he who did not extend at discretion, built without order or symmetry, and even for the garden or Government house much more was taken than it before had, nothing of which would have happened if the precise dimensions of the square or squares, their form and figure, and what respectively belonged to each royal or private building, had been opportunely determined, the present conflict would thus have been avoided: but even in the general arrangement which was made in the years 1807, 8, and 9, this was not treated of, but left for another time. This mode of distribution and designation of the dimensions

of each boundary, in order to avoid difficulties and contentions, is so conformable to the laws and customs of all civilized societies, to reason and justice, that even God himself, says David, divided among his people the promised land by measure. *Divisit illis terram in funiculo distributionis.* Psalm 78, verse 55, and as to be read in the 18th chapter of Joshua.

This uninhabited plane was left so by the English, on account of the enclosure they were obliged to make within the town, for fear of an attack by the Indians, when they had no exterior fortifications; and in which the garrison, and all the inhabitants with their families, were shut up in case of an alarm; at present there remains no other vestige of the said enclosure than the buildings which served for defence, and others which at present serve for store houses and barracks, the which were not meddled with, nor any others belonging to the crown, in the delineation ordered by the Ayuntamiento, except an old kitchen which has already fallen, and has been demolished. There are, in fact, some which remain in the new street, and others in the squares which do not obstruct the way; and of these which are already in a state of decay, it is said in the draught (or scheme) which was presented to the Ayuntamiento, and approved of by them, presided by the civil and military Governor of the Province, that "if the scheme should be carried into execution, it would be necessary, after some time, to demolish them, or else when others should be made." For which purpose a piece of ground is reserved in the most commodious, high, and safe place, for royal store houses, as also are others for barracks, hospitals, &c. as may be clearly seen by the said plan and explanation. The lots which were laid off between the two squares for sale, were, in effect, sold, or the greater part of them, with the solemnities mentioned; as were also those of the division 24, which had been reserved for the Church, and one and all were paid for, as I have understood. If the sale of the first ones be made in spite of the formalities made use of, and the reasons which gave rise to the occasion, it is regular that the sale of the second ones be so likewise, because, speaking like a geometrician, the things equal to the same are equal between themselves, and if there is solid foundation for such a decision, by redelivering to the purchasers their money, things will revert to their former state. It will be just likewise, that the Church should again enter into possession of the said division 24, or of its respective portion thereof, although this part is very far from being adapted to so high and holy a purpose, or to the spirit of the law. The foregoing is as much as I can inform your honor, so that, at sight thereof, you may please to determine what may be found most conformable to justice. Pensacola, 22d September, 1816. (Signed) Vicente Sebastian Pintado.

Decree. Pensacola, 25th September, 1816. Pass it to the Commander of Engineers, pro tempore, Don Bernado Prieto, in order that he may report to me what he knows, and what may be his opinion in relation to the representation by the Rev. Vicar Gen'l of this Holy Church. (Signed) Maxent.

Report and opinion of the Engineer. To his honor the Governor—The regulation of the town, effected by his honor the Brigadier Don Vicente Folch y Juan, formerly Governor of this Province, appears to me to be most expedient, and that which the nature of this place requires to be adopted. for the security of the general interest, the importance of which was well known to the aforesaid gentleman, ex-Governor, of whom we ought not to suppose, that with his well known intelligence, he could be ignorant of the *Law 9, title 7, book 4, or of the 8th of the same title, which could not be applicable to the present case,* owing to the kind of materials of which all the buildings are constructed which compose the establishment; which is timber of pitch pine and light wood, a circumstance which points out the necessity of giving an apparent irregular extent to the squares they laid off, and the width of 100 feet to Tarragona street, so that, with the aid of fire engines, it ought to be hoped that, however much the number of buildings might be extended or multiplied, there would be no cause to fear, with the aforesaid precaution of fire engines, that the whole establishment might be burnt up in one conflagration. In a moment, during which the intrusive constitutional Government continued, a new arrangement was formed, which was adopted by honored persons, actuated, as I believe, by the best of intentions, but who were deficient in the knowledge requisite to proceed with that judgment which the importance of the case required. Your honor is not ignorant that the foremost of the aldermen of that time were those who could sign, who had also the second misfortune to be presided by a chief, whose years had already deprived him of the intellectual faculties with which nature might have endowed him in the spring of his life. It was owing to this cause, and the circumstance of Don. Jose Vi-la's immediately building his house, *which to this time is the only one agreeable to the new plan,* that, as was my duty, I represented and gave such a report as the case admitted of, which I duplicated on 25th October, 1815, the which was done in compliance with a demand for a report thereon from me, by Col. Don José de Soto, Commander, ad interim, of this province, dated 16th August, of the same year, which I answered on the 18th, and in which are copies of all the preceding ones which were had on the particular.

I do not see how the Rev. Vicar Gen. of this holy parochial Church makes out, that the same is hereby in anywise injured, and I rest on this, that as there remains in both plans particular grants for the aforesaid holy Church, be the decision what it may, there will always remain in one or the other the portion reserved for so high a purpose.

Neither have I evidence of the efforts of Col. Don José de Soto in opposition to the plan in question, but of a certain military frankness, which is a characteristic of him, and I am inclined to believe him incapable of overstraining his authority, or of availing himself of any subterfuge, in order to favor particular ends. Pensacola, 8th October, 1816. (Signed) Bernardo Prieto.

Decree. The better to decide in this matter, let the Secretary of this Government put in continuation herewith, a certified copy of the documents of which the commander of the Engineers treats in the 3d

paragraph of the preceding report, together with copies of those which before were had on the particular, and the dates they may bear.— Pensacola, 18th October, 1816. (Signed) Maxent.

Demand of a report by Governor Soto. It being necessary that I should be instructed with regard to the innovations or variations had with respect to the lots on which royal buildings are situated, in consequence of the new arrangement given to it by the Ayuntamiento, with the distribution and sale of the lots by the same authority of what formed the *Military Square*, you will please to report to me what you know in this particular. God preserve you many years. Pensacola, 16th August, 1815. (Signed) José de Soto. Addressed to Don Bernardo Prieto.

Reply. The copies annexed contain the documents previously had on the side of the Department of Engineers. with respect to the variations which the ex-Ayuntamiento ordered to be carried into execution, and which they would have effected in a short time, but for your Honor's recent order to suspend all establishments until superior approbation be obtained. By those your Honor will see, that I know nothing of the matter until the moment which appears, and although the lots which comprehend the aforesaid innovations were publickly sold on distinct occasions, I never believed it could be possible they would interfere with the Royal Buildings, as such decisions have no connection with those which ought to belong to a Constitutional Ayuntamiento, if their representation is attended to, and that that momentous Government had not laid aside the ordinances of the Royal Corps of Engineers of the year 1803, and the articles 1 and 9 of the Title 1 of the 3d Regulation, remained from that time until the latter period in full force.

This is as much as I can say, in compliance with the official note which your Honor was pleased to address me, on date 16th inst. to which I reply, God preserve your Honor many years. Pensacola, 18th Aug. 1815. (Signed) Bernardo Prieto. Addressed to Jose de Soto.

I have casually understood that the Constitutional Ayuntamiento of this town have altered the plan thereof which was before adopted.

The house which D. Jose Viola is building, has occasioned me to make the inquiry, from the novelty of its position with respect to the military building, to which it is contiguous, but, as I have understood that the same remark applies to the others, my duty requires me, if such be the case, to solicit your Honor to use suitable measures for my obtaining from the proper person a copy of the new plan or the original, that I may take one, with instructions of how far the innovations relate to my department, so that I may be able to comply with the provisions of the ordinance. God preserve your Honor many years. Pensacola, 13th April, 1814. Bernardo Prieto. To Don Mathew Gonzales Maurique. It is a copy. (Signed) Bernardo Prieto.

The Alcalde of this town informs me on this date, as I copy. "On this date, I addressed the surveyor general, D. V. S. Pintado, as follows: In a sitting of the Cabildo, of 18th inst. among other things it was ordered, that an official note should be addressed to you, desiring you to furnish the lieutenant D. Bernardo Prieto, volunteer Engi-

neer, and charged with that branch, with a copy of the new plan, or to favor him with the original one, that he may copy it, instructing him with respect to innovations it may contain, according to what said Engineer has solicited, through the medium of his honor the commander of the Province. I consequently communicate the same to you for your intelligence, and that you may please to act accordingly. And I advise your Honor of the same, for your intelligence and that you may please to act accordingly. I advise your Honor of the same for your intelligence and the purposes which may be expedient." and I to you in reply to your paper of the 13th inst. God preserve you many years. Pensacola, 20th August, 1814. Mathew Gonzales Maurique. To D. Bernardo Prieto. It is a copy. Bernardo Prieto.

I have received from the Surveyor, D. V. S. Pintado, the plan which I solicited, as appears in the annexed copies, and so soon as the volunteer Engineer, D. Nicholas Frinels, shall have copied it, I will remit it to you on the first occasion. I have obtained the necessary paper, which, with difficulty, I have been able to procure. *The buildings comprehended in it are those of the old houses, block houses, with the Corps de Guard, which serve as national store houses, and quarters for colored troops from Havana, which buildings would be shut up in a street.* The kitchen lot of this garrison ought to be given up; and the dragon's barracks interfere in part with such as must likewise be given up. The yard for the tents is altered, as is also the Government-house garden, on all which your Honor will make such reflections as may appear to me to be involved, when I transmit you the plan in question.—God preserve your Honor many years. Pensacola, 3d of May, 1814. (Signed) Bernado Prieto. Addressed to D. Fermin Montano.—It is a copy. Bernado Prieto.

The captain of the schooner Comet, D. Lorenzo Olivar, will wait on your Honor with a copy of the plan, which I made known to you in an official note of the 3d of May of the present year, No 12, in which I have noted, that the ground chosen for the store houses is situated in such a manner, that, with the storms which sometimes occur in this place, they would be inundated, and their contents damaged, unless they should be built with the necessary elevation, and the thickness of the walls sufficient to resist the impulse of the waves, in which case, their cost would be six times more than the proceeds of the sales of the lots. The Military Hospital, almost in the centre of the town, appears wrong, as being inimical to public salubrity, on account of the southerly breezes which prevail in summer, by which the sea would be infested, owing to its position in advance; situations are not wanting, where it might be located on the outside of the town, and contiguous thereto on the North. The space which formerly took in the squares and the width of Tarragona street, were calculated, with the aid of fire engines, to stop fire, but those being reduced to the limits laid down in the new plan, this idea vanishes. God preserve your Honor many years. Pensacola, 10th July, 1814. (Signed) Bernardo Prieto, and addressed to his Honor D. Fermin Montano. It is a copy. Bernardo Prieto.

Certificate. The foregoing is a copy of the original official notes which exists in this office of Government, under my charge, which I certify, and I give the present pursuant to the decree, which precedes, from his honor the Commander, ad interim, of this province, dated the 18th instant. Pensacola, 19th October, 1816. (Signed) Carlos Reggio.

Decree. Pensacola, 25th of October, 1816. Let this judicial proceeding be shown to the Rev. Vicar of this parish, D. Santiago Coleman. (Signed) Maxent.

Reply and Petition of the Rev. James Coleman. To his honor the Governor: D. Santiago Coleman, Ecclesiastical Judge and Vicar General of this Parochial Church of St. Michael, respectfully states, that, in consequence of your honor's decree, of the 25th instant, I have seen the report of the Captain of Infantry, Don Vicente Sebastian Pintado, Surveyor General of this province, and likewise the opinion of the Commander, pro tempore, of Engineers, Don Bernardo Prieto, with annexations of the official notes which the latter cites in the third paragraph of his exposition, and which your honor thought proper to have copied in continuation, the better to decide in regard to the petition which I presented, in claim of the ground or lot on which the Church ought to be built; and having attended to their expositions, with the attention which they merit, I find that the report of the first is conceived in terms so clear and evident, that the force and perspicacity of his reasons cannot but be admired, so demonstrative in my view, that they leave not the least obscurity on the subject, as they contain all the illustration which is requisite. That of Bernardo Prieto presents the subject in another different aspect, which it would be well to clear up; but I shall not detain myself therein, as it does not belong to me, and less to investigate the military frankness of Col. Don José de Soto, late Governor, ad interim, of this province, (as the said Engineer affirms,) nor to search out the sites and places on which he expatiates, as being foreign to the case treated of, and its being my only intention to prove that the Church is despoiled, at least without security for what belongs to it, as I stated in my petition.

The gentleman Engineer says, in the fourth paragraph of his report or opinion, that he does not see as I do, that the Church is in any respect injured, and he rests on this, that as there remains in both plans particular grants for the same, be the decision what it may, there will always remain in one or the other, the place reserved.—Notwithstanding that, division 24, which is the one reserved for the Church, has become private property, as I have already stated, acquired by the owners at public sale. The assignment of the lot which was afterwards designated in its stead, is pretended to be annulled, as also the regulation of the squares, and whatever else was done by order of the late Ayuntamiento. Where then is the place reserved for the Church? If we wish to commence the building so much wanted, where shall we begin? and where then is the reason to see that the Church is not in any respect injured? The gentleman Engineer will permit me to say, that his assertion, or opinion, in this respect,

does not coincide with mine, and he must, in this case, have explained himself inadvertently, as occurs in his official notes to the Director Don Firmin Montano, dates 3d May, and 10th June, 1814, when, among other things, he says, that what he calls dragoon barracks awaits the destiny to be sold in part, and that the ground reserved for store houses would be subject to inundation in storms, and to damage their contents, unless a wall should be made sufficient to resist the force of the waves, &c. What I have just referred to, I consider an inadvertent mistake, having before me a plan of the town; for neither that which was the dragoon's barracks, before an hospital, and now abandoned and in ruins, is among the number of lots to be sold, nor is the ground reserved for store houses subject to inundation, nor can it ever be exposed to the force of the waves, unless there should come another deluge; for it is the highest place to the north contiguous to my own house, which, in that case, would be the first inundated, and likewise the old store house, which serves for a Church, and also the Government house and garden would be inundated. These mistakes have probably occasioned us the present trouble. The fact is this, that what was the old store house, in which Divine service is celebrated, is threatened with approaching ruin, and it is to be feared, that its fall may occasion the sacrifice of some innocent victims, while those who are principally the cause of the dreaded catastrophe, run little or no risk: therefore, I entreat your honor, that, taking into consideration the ruinous state of the actual Church, its altar and ornaments exposed to the rain and bad weather, (for it is notorious that since May, 1781, in which this place was retaken, its roof has not been renewed or repaired with shingles,) your honor will please to determine as may be dictated by the sentiments of justice, which I ask. Pensacola, 30th October, 1816. (Signed) Santiago Coleman.

Decree.—Pensacola, 21st October, 1816. Let this judicial proceeding be annexed to those which follow the ones of Don Carlos Lavalle, and Don Francisco Barrios, in behalf of the inhabitants who purchased the lots laid off between the two squares, conformable to the last plan of this town; which was formed at the request of the late Ayuntamiento, in order to render a statement of the results to his Excellency the Captain General of this Province, when opportunity may serve. (Signed) Francisco Maximiliano de San Maxent.

OPINION OF THE KING'S ATTORNEY.

May it please your Excellency: The inhabitants of the town of Pensacola, representing in this judicial proceeding, *have every thing of justice on their side.* They purchased, at public sale, the lots which to-day occasioned the dispute. The sale of them was made with the consent of all the authorities which governed the town at the period, and whose authorities all concurred in and authorized the same, impelled by the supreme law of necessity; the alternative which they proposed, therefore, is very just; for, *if the contract remains firm, the free use of their lots ought to be left to them, and, if it be rescinded or annulled, the money they disbursed for their price ought to be returned to them immediately.* I believe there will not be funds for the latter,

and it is necessary to accede to the former; but, *as there are inconveniences in this case*, which are apparent from the proceedings, it seems requisite that your Excellency should report the same to his Majesty, with an authenticated copy of the judicial proceeding, for the corresponding decision, and his Majesty's pleasure.—Havana, 30th January, 1814. Leonardo del Monte.

I, Joseph E. Caro, Secretary to the Board of Land Commissioners for the district of West Florida, do hereby certify, that the foregoing is a true and correct translation of the documents in the Spanish language.

JOSEPH E. CARO, Sec'y.

Pensacola, 20th Jan. 1825.

M.

REPORT ON BRITISH CLAIMS.

The law organizing this Board of Commissioners, has directed us to examine and determine the validity of claims submitted for adjudication, "agreeable to the laws and ordinances heretofore existing of the governments, making the grants respectively." In addition to this, the attention of the Commissioners is directed to two objects, in the investigation of British Claims: 1st, to ascertain how far they are valid by the law of nations; and, 2nd, how far they have been considered valid under the Spanish Government, and, if satisfied that said claims be correct and valid, shall give confirmation to them.

The great reliance of the British claimants, is placed upon the effort to prove, that their titles are valid by the laws of nations. They do not pretend, that they were considered valid under the Spanish Government, but endeavor to avail themselves of the *jus postliminium*, as laid down in Vattel, and other writers upon the laws of nations. Let us for a moment examine the soundness of this position.

"The right of *postliminium*," says Vattel, "is that in virtue of which, persons and things taken by the *enemy*, are restored to their former state, on coming again into the power of the nation to which they belonged." There are two modes by which they may be restored to the possession of the *original* proprietors; 1st, by reconquest, and, 2nd, by *treaty stipulation*. Although prisoners of war may have given their parole; territories and towns submitted to the enemy, and sworn and promised him allegiance, yet, if retaken, they are to be re-established in their former condition, and enjoy the right of *postliminium*. The acquisition of *immovables* is not fully consummated till confirmed by a treaty of peace, or by the entire submission or destruction of the state to which they belonged. Till then, the sovereign has hopes of *relating* them or recovering them by a *peace*. "Provinces towns, and lands, which the enemy restores by the treaty of peace, are certainly entitled to the right of *postliminium*." "The enemy in giving back a town at the peace, renounces the right he had acquired by arms." "But if that town," says Vattel, "had been ceded to the enemy by a *treaty of peace*," or was completely fallen into his power by the submis-

sion of the whole state, she has no longer any claim to the right of *postliminium*, and the alienation of any of her possessions by the conqueror, is valid and irreversible; nor can she lay claim to them. if, in the sequel, some fortunate revolution should liberate her from the yoke of the conqueror." "Its former state is absolutely destroyed; all its relations, all its alliances, are extinguished." Vattel, b. 3, c. 14, sec. 212. "Whatever is ceded to the enemy by a treaty of peace, is truly and completely alienated. It has no longer any claim to the right of *postliminium*, unless the treaty of peace be broken or cancelled," "It might be said, in general, that the right of *postliminium* no longer exists, after the conclusion of the peace. That right entirely relates to a state of war." b. 3, c. 14.

As the right of *postliminium* relates to, and is founded on, a state of war, it has no effect or operation, except amongst the belligerents, or allies, who made a common cause, and are *partakers and associates in the war*.—Vattel, b. 3, c. 14, sec. 207. Spain and England were the only parties and privies to the war, terminated by the capitulation of '81, and the treaty of '83. We have no evidence that the British claimants were deprived of their lands by conquest; but even admitting it to be the fact, agreeable to the doctrines laid down in Vattel, the *jus postliminium* could only have been made to operate in their favor, had Florida, at the peace, been restored to England, who was the original owner. As those private rights were recognized in the articles of capitulation, and in the fifth article of the treaty, there is every reason to believe, that there is no ground upon which this principle could be introduced; as that cannot be restored which was never lost by conquest. Further, as the country was ceded to Spain, the enemy and conqueror, instead of being restored to England, the original owner and nation to whom it belonged, the right of *postliminium* is taken away, unless the treaty be broken or cancelled. If cancelled or broken, it would be good ground of complaint to be brought by England against Spain; but it is a question in which, it is believed, the United States could not interfere. They were neither parties nor privies to the war, the capitulation, or treaty, and, as such, can claim no rights, and, consequently, have incurred no obligations under them.

From this view of the subject, it is considered that the principle of the *jus postliminium* could not be made to operate in favor of British subjects; as Florida was ceded away by her, instead of being restored to her, by the treaty of '83. Had it availed any thing, Great Britain would not have provided for those claimants in the treaty, or made them remuneration when they failed to dispose of their lands agreeably to the stipulations of the treaty. Upon examination, it will be found equally evident, that the United States are under no obligations on this occasion. They were not parties or privies to the war. Although Spain was at war with England during the latter part of the American Revolution, yet we were not *allies*, engaged in a common cause, associates in the same contest. There was no treaty of offensive or defensive alliance between them. Conceding this point, however, and it avails nothing, in order that the doctrine of *jus postliminium* should be introduced with effect, we should have been *allies*

of England, who lost the country by conquest, and to whom it should have been restored either by reconquest or treaty stipulation. American citizens can occupy no better ground than the citizens of Great Britain, and those, we have seen, cannot avail themselves of the right of *jus postliminium*.

As the right of *postliminium* no longer exists after the conclusion of a peace, the British claimants are precluded from availing themselves of it by the treaty of '83. This instrument placed these claims entirely upon different grounds; recognized them and made provision for their disposition, by the subjects of Great Britain, who were inclined to *emigrate*. The *jus postliminium* has no bearing upon the subject; but the question is made to turn, exclusively, upon the construction of the treaty.

By the articles of capitulation signed at Pensacola, in '81, by the commanders of the Spanish and British forces, it was provided, that "the British inhabitants, or those who may have been subjects of the King of Great Britain in the said countries, may retire in full security and liberty, where they shall think proper, and may sell their estates, and remove their effects, as well as their persons, the time limited for their emigration being fixed to the space of eighteen months." This indulgence was incorporated in the treaty of '83, with the additional provision of extending the time, if necessary. It is contained in the 5th article of the treaty, which was ratified on the 3d of September, 1783, and is as follows: "His Catholic Majesty agrees, that the British inhabitants, or others who may have been subjects of the King of Great Britain, in the said provinces, may retire in full security and liberty, where they shall think proper, and may sell their estates, and remove their effects, as well as their persons, without being restrained in their emigration, under any pretence whatever, except on account of debts or criminal prosecutions; the term limited for this emigration being fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty; but if, from the value of the possessions of the English proprietors, they should not be able to dispose of them within the said term, then his Catholic Majesty shall grant them a prolongation proportioned to that end." In the year 1785, it is said a prolongation of four additional months was given by the King of Spain.

Upon the subject of capitulations, Vattel says, "The Governor of a town, and the General who besieges it, have a power to settle the terms of capitulation, and whatever agreement they thus form within the term of their commission, is obligatory on the state or sovereign who has invested them with the power by which they conclude it. B. 2, c. 14, s. 207. It is no doubt upon this principle that the provision of the article of capitulation in favor of British claimants, was incorporated in the 5th article of the treaty of '83, and also for the purpose of consummating the arrangements. This was necessary, as Vattel declares, that "immovable possessions, lands, towns, provinces, &c. become the property of the enemy who makes himself master of them; but it is only by the treaty of peace, or the entire submission and extinction of the state to which these towns and provinces belonged, that the

acquisition is completed, and the property becomes stable and perfect."—b. 3, c. 13. s. 197.

In examining the phrascology of the 5th article of the treaty, it appears, that all British claimants were entitled to the indulgence; not only, "*British inhabitants*," but those "who may have been subjects of the King of Great Britain in the said provinces." Those who were citizens of the United States at the date of the treaty, if they had been subjects of the King of Great Britain in said provinces, were entitled to every indulgence in the disposition of their property. If they failed to avail themselves of those provisions it is their own neglect, and they cannot but charge themselves with the consequences. The treaty is to be construed like any other contract, and if the parties have not complied with the conditions, they are compelled to abide the result, or submit to the penalty. Their claims occupy precisely the same ground, however different may be the *character of the claimants*. Agreeably to the spirit, at least, of national law, Spain was authorized in requiring such a provision as that contained in the 5th article of the treaty. "Every state," says Vattel, "has the liberty of granting or refusing to foreigners the power of possessing lands or immovable property, within her territory. If the sovereign does not permit aliens to possess immovable property, nobody has a right to complain of such a prohibition, for he may have good reason for acting in this manner; and, as foreigners cannot claim any right in his territories, they ought not to take amiss that he makes use of his power and of his right, in the manner which he thinks most for the advantage of the state."—b. 2, c. 8, s. 114. The sovereign may also forbid the entrance of his territories either to foreigners in general, or in particular cases, or to certain persons, or for certain particular purposes, according as he may think it advantageous to the state. b. 2, c. 7. s. 94. The King of England had likewise the power and right to accede to the stipulations in the 5th article of the treaty of '83: "The necessity of making peace, authorizes the sovereign to dispose of the property of individuals; and the eminent domain gives him a right to do it."—Vattel, b. 4, c. 2, s. 12. In the treaty of '83, the property of individuals was not ceded away *absolutely*, but only *conditionally*, where the claimants failed to dispose of it within the limitation.

If Spain refused to extend the time, as contemplated in the 5th article of the treaty, it was a subject of complaint by England against that government. The United States could not interfere in deciding such a question, as it would be an infringement of the independence of the original parties concerned.—Vattel, b. 2, c. 4, s. 54; b. 4. c. 4. s. 40; Preliminaries, s. 9. But it was not the fact, that England complained or remonstrated on the occasion. Upon the expiration of the term within which the British claimants were to return and dispose of their property, that government made compensation to her citizens, which was an acknowledgment that she had no complaints or demands against the King of Spain. With this fact before them, it would not become the American Government to interpose in the contracts of other sovereign powers, and declare that either had failed in compliance.

M.

An Abstract of Claims founded on Grants, Patents, and Warrants of Survey, emanating from the British Government, and which have been reported to Congress by the undersigned Commissioners.

No.	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.	NATURE OF CLAIM.	DATE OF CLAIM.		NO. OF ACRES.	WHERE SITUATED.	BY WHOM ISSUED.	SURVEYED.		GENERAL REMARKS.
				Month.	Year.				When.	By whom.	
1	Elihu Hall Bay	Walter Paterson	Warrant of survey.	11th May,	1779	2,000	Escambia county	Peter Chester			
2	Elihu Hall Bay	John Paterson	do	5th May,	1779	2,000	do do	do do			
3	Elihu Hall Bay	John Hall	do	3d May,	1779	2,000	do do	do do			
4	Elihu Hall Bay	John Sutherland	Patent	7th Oct.	1780	550	do do	do do	14th September, 1780	Elias Durnford	
5	Elihu Hall Bay	John Sutherland	do	7th Oct.	1780	550	do do	do do	14th September, 1780	Elias Durnford	
6	Theodore Guillard	Francis Lewis	do	16th June,	1777	300	do do	do do	6th May, 1777	Elias Durnford	
7	Theodore Guillard	James Sutton	do	4th May,	1767	3 acres and 3 rods	do do	Montfort Browne	30th September, 1766	Elias Durnford	
8	The heirs of Evan Jones	Evan Jones	do	18th Dec.	1766	400	do do	do do	23d July, 1766	Elias Durnford	
9	The heirs of Evan Jones	Boardman and Southwell	do	27th June,	1768	200	do do	do do	22d April, 1766	Elias Durnford	
10	The heirs of Evan Jones	Thomas White	do	21st June,	1768	200	do do	do do	5th March, 1767	Elias Durnford	
11	The heirs of Evan Jones	Israel Boardman	do	27th June,	1768	300	do do	do do	4th March, 1767	Elias Durnford	
12	The heirs of Evan Jones	William Leitch	do	2d Sept.	1766	50	do do	George Johnstone	28th July, 1766	Elias Durnford	No conveyance from Leitch to Evan Jones.
13	The heirs of Evan Jones	James Thompson	do	8th Jan.	1768	50	do do	Montfort Browne	28th August, 1766	Elias Durnford	No conveyance from Thompson to Evan Jones.
14	The heirs of Evan Jones	Alexander Maclellan	do	25th March,	1767	4	do do	do do	18th March, 1767	Elias Durnford	No conveyance from Maclellan to Evan Jones.
15	The heirs of Evan Jones	Francis Hutchinson	do	15th Dec.	1768	2,000	do do	do do	18th August, 1768	Elias Durnford	
16	The heirs of James Thompson	James Thompson	do	10th Nov.	1766	12 acres 1 rod 28 p.	do do	do do			
17	The heirs of James Thompson	James Thompson	do	9th Jan.	1767	4 acres 1 rod 28 p.	do do	do do			
18	The heirs of James Thompson	James Thompson	do	10th Jan.	1767	18 acres 3 rods	do do	do do			

All which is respectfully submitted by the undersigned Commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

Most sovereign states have adopted, in some shape or other, the principle contained in the 5th article of the treaty, in order to prevent foreigners from owning real property within their limits, and thereby obtaining an influence which might be wielded to the injury of the country. It was no doubt principally from this consideration that the 5th article of the treaty was framed and incorporated in that instrument. In effect it required "the British inhabitants, or others who may have been subjects of the King of Great Britain in the said provinces," either to remain in Florida as citizens of Spain, or to dispose of their property within the limitation. From the language of the articles, they appear to have had their election; and it is believed that, where they failed to avail themselves of the indulgence secured by this provision of the treaty, or to obtain the confirmation of the Spanish authorities, which was equivalent to a release, the lands were considered vacant, and subject to forfeiture. Similar provisions are contained in the treaty of 1763, which are found in the proclamation of General Gage, bearing date 30th December, 1764, addressed to the inhabitants of Illinois and Vincennes, respecting their lands, upon taking possession of their country by the troops of his Britannic Majesty. In Sierra's case, Governor O'Neal declares, that the time had expired within which British claimants were to return and dispose of their property, and it is understood that it was regranted whenever applications were made to that effect. The 8th section of the act of Congress, passed 30th March, 1803, making provisions for the disposal of the lands of the United States south of the state of Tennessee, and the 1st section of the act passed 5th July, 1812, upon the same subject, expressly recognize the fact of Spain having regranted lands originally granted by the British authorities in West Florida. The Board of Royal Treasury, by a decree, dated 24th September, 1801, at New Orleans, which was founded upon official proceedings instituted to ascertain the buildings and lots in Pensacola, to which the King of Spain was entitled by conquest, and from *absolute relinquishment of the same by proprietary owners*, exposed those houses and lots to sale at public auction. Whenever they were presented after a limited period, they were either confirmed, or declared to be forfeited by the Spanish authorities. It was the policy of the Spanish government to have their lands settled and cultivated; foreigners were, as far as possible, excluded, unless they were Catholics. In their concessions, the petitioner was requested to take an oath, that no foreigner was interested in the land solicited, and that he or she would not convey to such at a subsequent period. A difference in religion was not tolerated; such was the effect of these regulations, that most of the English removed from Florida, particularly from East Florida, after the treaty of '83.

These facts combined, are conclusive as to the opinion entertained by the Spanish authorities, in relation to the validity of such claims. Had those now under consideration been brought into controversy before the Spanish tribunals, anterior to the cession of the country to the United States, there can be no hesitation in believing, that they

would have been declared null and void. The British claimants have not attempted to make out a valid title under the Spanish government, or to shew that the Spanish tribunals would have considered their claims valid and correct. They are, no doubt, satisfied of their weakness upon this ground, and it accounts for those claims being permitted to lie dormant, in the hands of the proprietors, for upwards of forty years. During this period, no notice was given of their existence; many were unlocated, and none in actual occupation of the proprietors. The King of England's proclamation, bearing date 7th of October, 1763, by which the governments of East and West Florida are created, vests the Governors with the power to grant and dispose of lands "to any such person or persons, upon such terms, and under such moderate quit-rents, services, and acknowledgments, as have been appointed and settled in other colonies, and under such conditions, as shall appear to us to be necessary and expedient, *for the advantage of the grantees, and the improvement and settlement of our said colonies.*" The Governors were authorized to grant lands to new settlers, and to reduced officers of the army and navy, in the following proportions: To any person having the rank of a field officer, 5,000 acres; to any captain, 3,000 acres; to any subaltern, or staff officer, 2,000 acres; to any non-commissioned officer, 200 acres; to any private man, 60 acres. No limits, except that of the advantage *of the person, and the improvement and settlement of the colonies*, are imposed upon grants to new settlers; but the proclamation expressly declares, that all these grants are subject to the same conditions of cultivation and improvement. Further, no plat is filed, in some cases, to shew that they ever were surveyed, and the warrants, which require upon the face of them, that they should be located in *six months* from the time at which they were issued, are entirely floating claims. No evidence either has been presented to shew that the *conditions subsequent* upon which the perfect grants were made, have ever been fulfilled. This alone, agreeable to Blackstone, renders the claims at least *voidable*, and may be declared void by the Commissioners.— Under such circumstance, we do not believe they would be recognized as possessing any validity under the laws of England; the government from whence they emanated.

Whether the British claims are, *ipso facto*, *void*, or only *voidable*, the United States are entitled to the rights and immunities of Spain, by a transfer of the sovereignty and domain of Florida, under the treaty of 22d February, 1819. Admitting that they are only *voidable*, the United States, and their tribunals, can declare them void, as did the Spanish authorities. If Spain could regrant them, and sell them at public auction, the United States, as the successor of Spain, are entitled to all the advantages resulting from a similar disposition of the property. As Spain, in her practical construction of the treaty, has viewed those claims as subject to forfeiture, whenever they have not been regranted, or confirmed by her legal authorities, they must be vacant, and, consequently, belong to the public domain. The doctrine of *prescription*, as a bar to such claims, as well as the plea attributing their want of location, and compliance with conditions to

the peculiar situation of the country, are also superfluous, as it is admitting claims to exist, which have been forfeited. The Partidas, as cited upon the subject of appeals from the judgments of Spanish tribunals, is equally far from being in point, as it could only apply between parties and privies within their legal jurisdiction. Under no circumstances would this law, and the doctrine of prescription, avail the claimants any thing against the government, however effectual they might be in a private controversy. Neither can they derive any advantage from a non-compliance with the 5th article of the treaty, unless they can also shew that they have received a confirmation or conveyance from the Spanish government, to the land in question. Were the United States to recognize those claims, it would be altogether a *gratuity*, an act of munificence, and not one which was the result of legal obligation. Congress are competent to make such a grant; but, as a special court of legal jurisdiction, we have no such authority, and can exercise no discretion upon the subject.

In the treaty between Spain and the United States, no provision was made for British claimants, but only such as emanated from His Catholic Majesty, and his lawful authorities; and, by the law organizing this Board of Commissioners, none are to be examined except those claimed and owned, *bona fide*, by American citizens, and for which no compensation has been made by the British government. This has been construed by the claimants, as a recognition of *post-liminary* rights; but, if the law is examined, it will be found to be a mistake, as the Commissioners are first directed to ascertain whether they are valid by the law of nations, how far they are so considered under the Spanish government, and, after this inquiry, are made the judges whether they are valid and correct, and entitled to confirmation.

It is believed that the Commissioners have no power to declare a forfeiture, in those cases where the claim exceeds 3,500 acres. Here they are only intended to act as an inquest, or court of inquiry, and furnish Congress with the facts upon which a forfeiture may be declared. It is their province to ascertain what lands belong to individuals, as distinguished from those which have accrued to the United States under the treaty. Those arising from forfeiture constitute as perfect a class of rights, as those to the soil which has never been appropriated to individual uses; they appertain, in all regular governments, to the sovereignty and domain, and cannot be separated from them.

From every view which we have been enabled to give this subject, we are constrained to declare all British claims, within our jurisdiction, which were not confirmed by Spain, or disposed of in conformity with the 5th article of the treaty of '83. forfeited, void, and of none effect. They are not valid by the law of nations, and would not be considered valid under the Spanish government. We are, therefore, convinced that they are not valid, and correct; and, agreeably to the provisions of the law organizing this Board, they must be rejected. With respect to the British claims, exceeding 3,500 acres, we believe the reasons contained in this opinion are altogether applicable, and request that they may be received as our report, in both cases.

All which is respectfully submitted by the undersigned Commissioners.

SAML. R. OVERTON,
JOSEPH M. WHITE.

N.

Seventh—A general abstract and report upon claims, some of which fall within the preceding classes, and others of an anomalous character, marked N.

This abstract embraces all the claims which have been examined subsequent to the date of those already forwarded to the Secretary of the Treasury. It also includes such cases of an anomalous character, as have not hitherto been reported in preceding classes. The testimony in relation to a few of them has been received after the expiration of our session, as fixed by the act of Congress. This was done for the purpose of reporting as many cases as practicable, and, if possible, enabling Congress to act upon all the claims which we have examined during their present session.

All which is respectfully submitted by the undersigned Commissioners.

SAML R. OVERTON,
JOS. M. WHITE.

A General Abstract of Claims, confirmed, rejected, and reported, by the undersigned Commissioners.

1. Carlos Barron, present claimant, and original grantee, a gratuitous concession, dated 18th December, 1817, for 800 arpens, on Escambia river, issued by Governor Masot, surveyed by Antonio Balderas, on the 5th and 6th July, 1820, and cleared and cultivated from 1818 to 1820. This claim was rejected by mistake in abstract G, but, upon further examination, has been confirmed.

2. Celestino Gonzales, present claimant, and original grantee, a gratuitous concession, dated 20th December, 1817, for 1800 arpens, on Escambia river; issued by Governor Masot, surveyed by Pedro Reggio, on the 18th and 19th of December, 1818, and cleared and cultivated from 1818 to 1820; confirmed as belonging to class of claims marked A.

3. Alliguel Hernandez, present claimant and original grantee, a gratuitous concession, dated 10th September, 1817, for 600 arpens, on Escambia river; issued by Governor Masot, surveyed by Antonio Balderas, on the 11th May, 1821, and cleared and cultivated from 1818 to 1819; confirmed as belonging to class of claims marked A.

4. Vicente Sebastian Pintado, present claimant and original grantee; a concession for cutting wood, and as a remuneration for services as Interpreter, dated 2d December, 1816, for 2,180 arpens, in Escambia county; issued by Governor Maxent, and actually settled

before the cession of Florida to the United States; confirmed as belonging to class of claims marked A.

5. James Gooch, present claimant, Gabriel Rivas, original grantee; a gratuitous concession, dated 16th October, 1817, for 400 arpens on Escambia river, issued by Governor Masot, cleared and cultivated in 1818; confirmed as belonging to class of claims marked A.

6. Daniel Malloy, who is proved to be 21 years of age, and the head of a family, claims 640 acres in Escambia county, which he occupied and cultivated from 1818 to 1824. This claim was reported in the second class of donation claims marked I, but, upon further examination, is found to belong to the first class, marked H, and, as such, has been confirmed.

7. Noah Colhoon, who is proved to be 21 years of age, and the head of a family, claims 640 acres, in Escambia county, which he occupied and cultivated from 1818 to 1819; confirmed as belonging to first class of donation claims, marked H.

8. The heirs of Whithers Brinson claims 640 acres, in Escambia county. They prove, that their ancestor was 21 years of age, and the head of a family, and occupied and cultivated said land from 1816 to 1819; confirmed as belonging to first class of donation claims, marked H.

9. Mariani Bonifay, present claimant, and original grantee; a certificate showing that the two arpen lots, No. 54 and 55, were commuted for three garden lots, and given in exchange by the Government; issued by Gov. Masot, and dated 30th April, 1818. Confirmed.

10. Carlos Lavalley, present claimant, Gilberto Guillmard, original grantee; a grant for public services of lot No. 234, 80 feet front by 170 deep, issued by Intendant Morales, dated 26th February, 1810. Confirmed.

11. Carlos Barron, present claimant and original grantee; a gratuitous concession for two arpen lots, Nos. 20 and 21, dated 22d of April, 1811; issued by Intendant Morales; surveyed by V. S. Pintado on 20th March, 1811, and built upon and enclosed from 1811 to 1821. Confirmed as belonging to class of claims marked D.

12. Eugenio Antonio Sierra, present claimant, James Ross, original grantee; a British patent for lot No. 169, dated 29th October, 1765, issued by George Johnstone, Esq.; surveyed by Elias Durnford on 11th July, 1765, and built upon and enclosed from 1780 to 1825. Confirmed as belonging to class of claims marked D.

13. Eugenio Antonio Sierra, present claimant, Samuel Tucker, original grantee, a British patent for lot No. 204, dated 13th September, 1766, issued by George Johnstone, Esq.; surveyed by Elias Durnford on 26th August, 1766, and built upon and enclosed from 1780 to 1825. Confirmed as belonging to class of claims marked D.

14. Marcos Devilliers, claims a double lot. No. 245, a part of which he purchased at auction on the 20th August, 1804, surveyed by V. S. Pintado on 14th November, 1810, the other part he obtained as a gratuitous concession on the 19th July, 1816, issued by Governor Zuniga, surveyed by Antonio Balderas on 16th August, 1820, and built upon and enclosed from 1814 to 1824. Confirmed.

15. Francisco Colein, present claimant and original grantee; a concession of lot E, as a remuneration for loss of cattle, dated 24th November, 1817, with a title in form, dated 28th November, 1817; issued by Governor Masot. This lot was reserved upon the new plan of the city, as laid out by the Cabildo, for a market house. The testimony in this case proves the claim to be antedated and fraudulent.

16. Eugenio Lavalle, present claimant and original grantee; a concession of lot L, as a remuneration for services rendered as head armorer, dated 22d November, 1817, issued by Governor Masot, surveyed by Antonio Balderas, on 30th June, 1821. The testimony in this case proves the claim to be antedated and fraudulent.

17. John B. Cazenave, present claimant and original grantee; a concession of lot J, and a lot on the square of Ferdinand 7th, adjoining that of Manuel Gonzales, 70 feet front, and extending to the Bay, as a remuneration for damages sustained in preserving the public ordnance, &c. in one of his houses; dated 16th August, 1817; issued by Governor Masot; surveyed by Antonio Balderas, on 24th May, 1821. Lot J was reserved, upon the new plan of the city, for building barracks. The testimony in this case proves the claim to be antedated and fraudulent.

18. John B. Cazenave, present claimant and original grantee; a concession for a lot without number, extending from the Tivoli lot marked H, 500 feet into the Bay, for the purpose of building a wharf, dated 5th October, 1817; issued by Governor Masot. The condition of building a wharf was never fulfilled.

19. Joseph Cevallos, present claimant and original grantee; a concession of lot I, for public services, dated 12th January, 1818; issued by Governor Masot. This lot was reserved, on the new plan of the Cabildo, for an hospital. From an examination of the concession, it has been antedated, and is believed to be fraudulent.

20. Joseph Gomes, present claimant and original grantee; a gratuitous concession, for 800 arpens, in Escambia county, dated 4th December, 1818; issued by Governor Masot. Rejected for a non-compliance of conditions, as belonging to class of claims marked G.

21. Francisco Rocheblave, present claimant and original grantee; a gratuitous concession for 800 arpens, on the Bay of Escambia, dated 25th November, 1817; issued by Governor Masot. Rejected for non-compliance of conditions, and a belief that it is antedated and fraudulent, as belonging to class of claims marked G.

22. The Trustees of the parish Church of Saint Michael, claim a Church and the ground on which it stands, measuring 101 feet in length and 38 feet in width, marked (d) in the new plan of the Cabildo. The claim is founded on prescription; the Trustees proving that it was consecrated as a Church on the 8th May, 1781, and has been occupied as such ever since, with the acquiescence of the public authorities. We, therefore, recommend it to Congress for confirmation.

All which is respectfully submitted by the undersigned commissioners.

SAMUEL R. OVERTON,
JOSEPH M. WHITE.

ST. AUGUSTINE, *January 1st, 1825.*

SIR: The undersigned Commissioners appointed to ascertain titles and claims to lands in East Florida, beg leave to acquaint you, for the information of the Congress of the United States, that they have found it utterly impossible to complete the duties assigned them by the act of February 27th, 1824, in the time limited by that act.

The inability of our Secretary, to translate and record the voluminous documents filed in support of titles to lands, within the period limited, has been before represented to the proper department. It will be seen, by the enclosed statement, what his labours have been since his appointment, and how necessary it is, that the Commissioners should be authorized to employ assistant translators and clerks, should Congress think proper to extend the time for ascertaining claims, &c. in East Florida.

It may not here be improper to remark that in not more than one quarter of the claims, are the original grantees the present owners. In a very large number of cases, the property has been conveyed, two, three, and four times. These conveyances as well as the original grants were always made in the Spanish language previous to the cession of 1821.

The office abstracts which we are authorized to receive by the last act of Congress, facilitate but very little the proceedings of the board. They are necessarily made in the Spanish language, and consequently have to be translated. The concessions made in virtue of the royal order of 1790, being upon conditions, much time has been consumed and much labour bestowed in collecting and arranging the testimony to prove the conditions performed; witnesses have been frequently compelled to travel 50 and 100 miles; the mass of testimony collected in the cases upon which we have already decided, is so great, that we can not possibly have it copied to send on with the list of the cases herewith presented. Our secretary has not been able to attend to the recording of the claims decided upon; a clerk has, however, been employed upwards of three months; and, with the utmost industry, he has not recorded more than *thirty-four* claims; they average twenty-one pages each, of seventy-two words; he has likewise rendered this board other services, which could not be dispensed with, and for which he has not received any compensation.

It will be seen, by reference to the descriptive lists of the claims herewith forwarded, that, in many instances, the surveys have been made long after the date of the grants. This has been owing in some cases to the unsettled state of the country, previous to the cession; the Indians have some times interfered to prevent surveys; and, indeed, within the last season, attempts have been made by them to obstruct

the surveying of lands within eighty miles of St. Augustine. A course has been pursued by some of the claimants calculated, if submitted to, to injure the United States; and we think proper to point it out to Congress, in order that such instructions may be given to the Surveyor General as may present such a result. To obtain grants of lands, the practice under the Spanish Government was for the applicant, to set forth, in a memorial to the Governor, his wants, and asking for lands corresponding to the number of his family at some particular place described in his memorial. To these applications, the usual reply of the Governor was, "let the lands asked for be granted, without injury to a third person." If the grantee, upon examination, did not take the lands granted, he again, by memorial, applied for a change of location, and, in many instances, leave has been given. Recently, say since 1818, persons to whom lands were granted previous to that time, at places designated in their memorials, have, without any application for leave to do so, changed their locations and had lands surveyed at one hundred miles distance from the spots asked for and granted to them. This course does not appear to have been sanctioned by the Government, and indeed it seems so contrary to the interests and policy of the Spanish government, that we cannot for a moment believe that such a course would have been allowed or tolerated. In confirming the claims, or in recommending them for confirmation, the Commissioners have looked only to the grants; the surveys, when they do not correspond with the grants, should not, in our opinion, be at all attended to, but that the Surveyor General should be instructed to survey the lands claimed, at the places pointed out in the memorials and grants.

The Commissioners have declined making a report upon a number of large grants under the royal order of 1815, and which have been submitted for adjudication. 'Tis believed that testimony may be, in a short time, procured, which will have an important bearing upon the grants made in virtue of that order; and, as a very large proportion of the lands claimed in the territory have been granted under it, we have considered it important to delay making, at this time, a final report of them. This delay will not operate to the prejudice of the claimants, as, from the want of sufficient clerks, the testimony and records necessary to be submitted to Congress, cannot be prepared in time for that body to decide at its present session upon the validity of their titles.

In an edict of his Catholic Majesty, dated Madrid, June 8, 1814, 'tis ordered, that, in the distribution of lands "the Intendants, &c. shall adhere to the laws of the Indies, and particularly to the royal instruction of the 15th of October, 1754." We have not been able to procure the latter document, and we suggest the propriety of applying, through our Minister at Madrid, for a copy of it.

We have inquired of the Secretary, and find that the *bare* sum of *twelve dollars and sixty-four cents*, has been received on account of the recording fees, under the former act of Congress, and that the board

have never received any sum whatever to apply towards lessening the expences of the commission. We have the honor to remain, &c.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.

The honorable WILLIAM H. CRAWFORD,
Secretary of the Treasury, Washington City.

STATEMENT.

Whole number of Claims to land filed in the office of the board of Land Commissioners for East Florida, -	1004
Whole number of Claims lodged in the office, since the law expired - - - - -	13
Whole number of Claims under 1000 acres - - -	757
Whole number of Claims confirmed under 1000 acres, -	132
Whole number of Claims confirmed over 1000 acres, -	10
Whole number of Claims under the donation act of 640 acres, -	43
Whole number of Claims under the donation act of 640 acres confirmed, - - - - -	3
Whole number of Claims recorded, averaging 21 pages of 72 words each, - - - - -	41
Number of British grants acted upon and ascertained to be invalid, - - - - -	36
Number of British grants recommended as valid over 3,500 acres - - - - -	2
Number of Claims recommended for confirmation not exceeding 3,500 acres, - - - - -	20
Number of Claims undefined in quantity, but recommended for confirmation, - - - - -	4
Number of Claims recommended for confirmation, but not reported, - - - - -	18
Number of Claims held under advisement, - - - - -	80
Number of Claims rejected. - - - - -	4

RECAPITULATION.

Claims confirmed - - - - -	145
Claims recommended for confirmation - - - - -	26
Claims ascertained to be invalid, - - - - -	40
Claims recommended for confirmation, but not reported, -	18
Claims held under advisement, - - - - -	80
Total of Claims acted upon. - - - - -	309

MINUTES

OF

The Proceedings of the Commissioners appointed to ascertain Claims and Titles to Land in East Florida, for the year 1824.

DISTRICT OF EAST FLORIDA,

Board of Land Commissioners,

St. Augustine, Monday, 29th March, 1824.

Pursuant to an act of Congress, entitled "An act to extend the time limited for the settlement of private land claims in the territory of Florida," passed the 19th February, 1824, and, agreeable to public notice, published in the East Florida Herald of the 27th of March, 1824, the Board met this day.

Present the Hon. Davis Floyd and W. W. Blair, and proceeded to open their session for the performance of the duties assigned to their office—

Whereupon, the following resolutions were adopted by the Board:

Resolved, That, in consequence of the government having failed to supply us with the means of paying for the services of assistant clerks, as secretaries, the employment of Mr. J. H. Lawrence, as minuting secretary, is no longer proper.

Resolved, That the services of Mr. John Lowe, as messenger, be discontinued, and that office abolished; and that the said Lowe be directed to furnish his account for services since his appointment.

Resolved, That it be no longer the duty of the Secretary of this Board to fill up blank memorials for claimants.

Resolved, That hereafter the Secretary shall not be permitted to copy, or translate, any paper, for any person, unless authorized by an order of the Board; and this order shall be taken to extend to the members of this Commission individually.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, was present this day at the sitting of the Board, under their order.

Resolved, That the Secretary of this Board be instructed to report at our next meeting the amount of money received for recording memorials and evidence of titles, since the office was present.

William Ovington, executor of James Alexander, deceased, presented his memorial to this Board, praying confirmation of title to

seven acres of land in the precincts of the city of St. Augustine, with copy of a certificate of survey, made by Andres Burguin, and dated November 2d, 1819—also, a copy of conveyance from Bartelome de Castro y Ferrer to James Alexander, dated 26th November, 1819, which was rejected.

Constance M'Fee, by her attorney, G. W. Perpall, presented her memorial to this Board, praying confirmation of title to four hundred and forty-six acres of land on St. John's river, on Julington and Cunningham creeks, with a certified copy of royal title, made in favor of Andres Clark, by Governor Quesada, the 10th of December, 1791—also, a decree of the Government relative to property of the said Andres Clark, dated 12th December, 1804; also, a copy of a plat of survey—which are ordered to be filed.

The following British claims were this day presented to the Board, viz:

The Earl of Grosvenor, for twelve thousand acres of land, on the west side of St. John's river.

Sir W. H. Cooper, for twenty thousand acres of land, on the east side of Indian river.

The Earl of Bisborough, for twenty thousand acres of land, on the east side of St. John's river.

The Hon. John Beresford, twenty thousand acres on the east side of St. John's river.

The Hon. William Beresford, twenty thousand acres on the east side of St. John's river.

Lord Templeton, twenty thousand acres of land on a branch of North Hillsborough river.

Lord John Rolle, twenty thousand acres of land on the east side of St. John's river.

Marquis of Hastings, twenty thousand acres on the western side of St. John's river.

Marquis of Waterford, twenty thousand acres on the east side of St. John's river.

The Earl of Cassalis, twenty thousand acres on the east side of Lake George.

Heirs of P. Tonym, Esq. for twenty thousand acres, and one hundred and twenty-five acres, the first on the west side of St. John's river, and the last on Wood Cutter's Creek.

Heirs of Jane Tonym, for one thousand acres on the Twelve Mile Swamp.

Jane Hughes, for two thousand acres on Nassau.

James Patterson, for two hundred and fifty acres, head of Rainsford Saw Mill Creek.

Heirs of David Yeats, one hundred acres, head of Sebastian Creek, one hundred and fifty-eight acres five miles north of St. Augustine, one thousand acres at the head of Tolomato river; six hundred and forty acres at Diego Fort; five hundred acres at the forks of Rains Cowpen Creek; two hundred acres at Rains Cowpen Creek; three hundred and thirty-six acres at the Twelve Mile Swamp; six hundred

and twenty-five acres on a branch of Nassau river; one town lot, No. 2, on Grenville's Quarter; one town lot, No. 3, on Grenville's Quarter—

Whereupon, it is ordered, that these claims be rejected, the applicants having failed to show that they are *bona fide* citizens of the United States, and that they have never been compensated for those claims by the British government, from whom they derive title.

The Board then adjourned until to-morrow, at 3 o'clock P. M.

THURSDAY, APRIL 1, 1824.

The Board met this afternoon at three o'clock.

Present, The Honorables Davis Floyd. and William W. Blair.

Edgar Macon, Esq. United States' Attorney, for the District of East Florida, attended the Board, this day. under their order.

Agreeably to a resolution, passed by the Board on the 29th ultimo, the Secretary thereof presented an abstract of moneys received for recording claims, amounting to *twelve dollars and sixty-four cents*, which was ordered to be filed.

Bartolomé Mestre presented to this Board his memorial for six hundred acres of land, lying on the West side of Matanza river, at a place called Holmes Old Plantation, with a certified copy of concession to Joseph Yus and Antonio Mestre, by Governor Quesada, dated the 8th of August, 1794, and marked B; also, a plat and certificate of survey, made by George J. F. Clarke, in favor of the memorialist, dated January 12th, 1820, and marked A; all of which are ordered to be filed.

Samuel Wilson presented his memorial to this Board for one hundred and fifty acres of land, lying at a place called Trout Creek, on the North bank of the river St. John, with a deposition of William Lane, dated January 7th, 1824, and marked W.; which are ordered to be filed.

William Lane presented his memorial to this Board for four hundred acres of land, situated on St. Mary's river, at a place called Cabbage Swamp, on Goodwin plantation, with a deposition of Samuel Wilson, dated January 7th, 1824, and marked L.; which was ordered to be filed.

William Lane presented his memorial to this Board for one hundred acres of land, situated on Little St. Mary's river, at a place formerly occupied by Mrs. Nily, with reference to the public archives; which is ordered to be filed.

William Lane presented his memorial to this Board for three hundred acres, situated about three miles North of the Cowford, St. John's river, at a place called Hagins, with reference to the public archives; which is ordered to be filed.

William Lane presented his memorial to this Board for three hundred acres of land, situated on six mile creek, at a place called Hickory Grove, with reference to the public archives; which is ordered to be filed.

Andrew R. Govan presented his memorial to this Board for six hundred acres of land, situated on St. John's river, near a place called Buena Vista, and known by the name of Orange Grove, with a certified copy of royal title, made in favor of Thomas de Aguilar, by Governor Coppinger, dated the 4th of June, 1817, and marked S.; also, a plat and certificate of survey, to said Aguilar, by George J. F. Clarke, dated the 15th of April, 1818, and marked A.; also, a conveyance from Francis P. Sanchez, to memorialist, dated the 13th of August, 1821.

James Falany presented his memorial to this Board for two hundred and eighty five acres of land, situated on Matanza river, southward of St. Augustine, with a certified copy of concession for one hundred acres to Pedro Chavet, by Governor White, dated September 3d, 1805, and conveyance from the same to memorialist, marked J.; also, concession for one hundred and eighty-five acres, made in favor of memorialist, by Governor Estrada, the 17th November, 1815, and marked B.; also, a plat and certificate of survey made by Andres Bergevin, dated October 6th, 1821, and marked F.; with a memorial and order of survey, dated April 10th, 1821, and marked K.; which are ordered to be filed.

Reuben Lasseter presented his memorial to this Board for two hundred and fifty acres of land, situated on Great Dunn's Creek, St. Mary's river, with a plat and certificate of survey made by George J. F. Clarke, and dated October 13th, 1818, and marked B.; which are ordered to be filed.

Reuben Lasseter presented his memorial to this Board for fifty acres of land, on Great Dunn's creek, St. Mary's river, with a plat and certificate of survey made by George J. F. Clarke, dated October 14th, 1818, and marked A.; which are ordered to be filed.

Magdalena Medicis, widow of Lorenzo Solana, deceased, presented her memorial to this Board for one thousand acres of land, situated on the south side of Six Mile creek, St. John's river, at a place known by the name of Mrs. Yuster's plantation, with a certified copy of royal title, made in favor of said Solana, by Governor Coppinger, dated the 27th of May, 1819, and marked C.; also, a plat and certificate of survey made by Andres Burgevin, dated the 1st of July, 1821, and marked A.; also, a memorial, dated June 8th, 1821, and order of survey, dated June 14th, 1821, marked B.; which are ordered to be filed.

J. Freeman Rattenbury presented his memorial to this Board for two thousand six hundred acres of land, situated in the following manner, viz: One-sixth part thereof situated on the southern extremity of Jupiter Island; one-sixth part on the point situated to the north thereof, on Indian river, and the four remaining parts in the wood, or swamp, in the south-east part of Lake George, without exhibits; which was, after due consideration, rejected by the Board.

J. Freeman Rattenbury, et. al. presented their memorial to this Board for fifty thousand acres of land, in East Florida, without exhibits, which was rejected by the Board.

The Board then adjourned until to-morrow afternoon, at 3 o'clock.

FRIDAY AFTERNOON, APRIL 2, 1824.

The Board met this day pursuant to adjournment.

Present, The Honorables Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' attorney, for the District of East Florida, attended the Board, this day, under their order.

No business appearing, the Board adjourned until to-morrow, at 3 o'clock, P. M.

SATURDAY AFTERNOON, APRIL 3, 1824.

The Board met this day pursuant to adjournment.

Present, The Honorables Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney, for the District of East Florida, attended the Board under their order.

No business appearing, the Board adjourned until Saturday, the 10th instant, at 3 o'clock, P. M.

MONDAY, APRIL 12, 1824.

Agreeably to public notice, published in the East Florida Herald, of the 10th instant, the Board met this day.

Present, The Honorables Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney, for the District of East Florida, attended the Board, this day, under their order.

Philip Dewees, and Mary Dewees, his wife, presented their memorial to this Board, praying confirmation of title to one hundred acres of land, situated on Guana river, with a royal title, made in favor of the children and heirs of Francis X. Sanchez, deceased, by Governor White, dated February 6th, 1811, and marked A.; which are ordered to be filed.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

TUESDAY, APRIL 13, 1824.

The Board met this day, pursuant to adjournment.

Present, The Honorables Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney, attended the Board this day, under their order.

The following claims, viz. Robert Miller, et ux, for 60 acres; Tucker's administratrix, for 230 acres; John Underwood, for 600 acres, were called: whereupon, they respectively came, by their attorney, and said they are not prepared for trial. It is therefore considered by the Board, and they ordered, that the said cases stand for trial next after the case upon the docket, No. 77.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

WEDNESDAY, APRIL 14, 1824.

The Board met this day pursuant to adjournment.

Present, The Hon. Davis Floyd, and Wm. W. Blair.

Edgar Macon, Esq. United States Attorney for the District of East Florida, attended the Board this day, under their order.

John Richards' heirs vs. The United States, for 230 acres of land. This case being called, and not being prepared for trial, it is therefore considered and ordered by the Board, that it stand on the docket for Friday, 28th inst.

Francis J. Avice vs. The United States, for 6,000 acres. This case being called, and, after examining Francis J. Fatio therein, it was submitted, and, after due consideration, was advised for confirmation.

Bernard Segui vs. The United States, for 300 acres. This case was submitted, and, after due consideration, was confirmed.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

THURSDAY, APRIL 15, 1824.

The Board met this day, pursuant to adjournment.

Present, The Honorables Davis Floyd, and Wm. W. Blair.

Edgar Macon, Esq. United States Attorney for the District of East Florida, attended the Board this day, under their order.

Isaac Hendricks vs. The United States, for 216 acres, was called into consideration, and rejected with leave to move the Board for a reconsideration thereof, at a future period.

John Houston vs. The United States, for 270 acres. Upon the calling of this claim, it appearing to the satisfaction of this Board that the same is not prepared for adjudication, it is ordered to be placed at the foot of the docket.

Bernard Segui vs. The United States, for 16,000 acres. This case being called, and the Board not being sufficiently advised therein, it is ordered that it lay over for further investigation.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

FRIDAY, APRIL 16, 1824.

The Board met this day, pursuant to adjournment.

Present, The Honorables Davis Floyd, and W. W. Blair.

Edgar Macon, Esq. United States Attorney for the District of East Florida, attended the Board this day, under their order.

The three following cases, viz.

John Houston, for 160, 155, and 120 acres, being called, and not being prepared for trial, it is, therefore, considered, and ordered by the Board, that they be placed at the foot of the docket.

Permission having been obtained, Joseph M. Arredondo presented his claim to the Board for 20,000 acres of land for adjudication, which was submitted, and, after due consideration, it was advised for confirmation.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

SATURDAY, APRIL 17, 1824,

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd, and W. W. Blair.

Edgar Macon, Esq. United States Attorney for the District of East Florida, attended the Board this day, under their order.

The three following claims, viz.

Daniel C. Hart, 150 acres. Robert Miller, 625 acres, and Sarah Fish, 10,000 acres, being called, and not being prepared for trial, it is therefore considered, and ordered by the Board, that they be placed at the foot of the docket.

No further business appearing, the Board adjourned until Monday next, the 19th instant, at 2 o'clock, P. M.

MONDAY, APRIL 19, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd, and W. W. Blair.

Edgar Macon, Esq. United States attorney for the District of East Florida, attended the Board this day, under their order.

Sarah Fish vs. The United States, for 500 acres of land. This case having been taken into consideration by the Board, and after examining Gabriel W. Perpall therein, it was rejected.

John F. Brown vs. The United States, for 95 acres of land. This case was submitted, and, after due consideration, having examined F. J. Fatio therein, it was confirmed.

John F. Brown vs. the United States, for 51 acres. This case was submitted, and the Board having examined Francis J. Fatio therein, after due consideration, confirmed the same.

The Board adjourned until to-morrow, to 2 o'clock, P. M.

TUESDAY, APRIL 20, 1824.

The Board met this day, pursuant to adjournment.

Present, The Honorables Davis Floyd, and W. W. Blair.

Edgar Macon, Esq. United States Attorney for the District of East Florida, attended the Board this day, under their order.

Mariano A. Berta vs. The United States, for 186 acres of land. This case was submitted and confirmed.

George Atkinson vs. The United States, for 350 acres of land. This case was submitted, and after examining Francis J. Fatio therein, was confirmed.

Elihu Woodruff vs. The United States, for 350 acres of land. This case being called, was taken into consideration, and rejected by the Board.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

WEDNESDAY, APRIL 21, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day.

Jose Bernardo Reyes vs. The United States, for 200 acres of land. This case being called, it came by its attorney, who said it is not prepared for trial; it is, therefore, considered by the Board, and they order that the said case stand for trial at the foot of the docket.

The two following claims, viz. Samuel Worthington, for 100 acres, and Samuel Worthington, for 100 acres, being called, and not being prepared for trial, it is therefore considered and ordered by the Board, that they be placed at the foot of the docket.

No further business appearing, the Board adjourned until to-morrow, at 2 o'clock, P. M.

THURSDAY, APRIL 22, 1824.

The Board met this day, pursuant to adjournment.

Present. The Honorable Davis Floyd, and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

Isaac Hendricks vs. The United States, for 350 acres of land. This case being called, was submitted, and, after examining Francis J. Fatio therein, was confirmed.

Robert Hutchinson vs. the United States, for 150 acres of land. This case being called, and not being prepared for trial, it is therefore considered and ordered by the Board, that it be placed at the foot of the docket.

Nathaniel Wilds vs. the United States for 333 $\frac{1}{3}$ acres. This case being called, was submitted, and, after due consideration, was confirmed by the Board.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

FRIDAY, APRIL 23, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

Nathaniel Wilds vs. the United States, for 300 acres of land. This case being called, and not being prepared for trial, it is therefore considered and ordered by the Board, that it be placed at the foot of the docket.

William Hart vs. the United States, for 200 acres of land. This case being called, was submitted, and, after examining Francis J. Fatio therein, was confirmed.

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Mary Smith vs. the United States, for 350 acres of land. This case being called, was submitted, and, after examining John Cavedo therein, was confirmed.

Pursuant to a memorial by Moses E. Levy, praying for a copy of his memorial and evidence of title in his claim for 36,000 acres of land in Alachua, it is ordered that the same be made out, and that the Secretary certify a true and complete transcript thereof.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

SATURDAY, APRIL 24, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

Mary Smith vs. the United States for 450 acres of land. This case being called, was submitted, and, after examining Bernard Segui therein, was confirmed.

Archibald Clark et al. for 250, and Levin Gunby for 400 acres. These cases being called, and not being prepared for trial, it is therefore considered and ordered by the Board, that they be placed at the foot of the docket.

The Board then adjourned until Monday, the 26th inst. at 2 o'clock, P. M.

MONDAY, APRIL 26, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

George W. Martin for 300 acres. and Z. Hogans for 200 acres. These cases being called, were submitted, and, after due consideration, were confirmed by the Board.

Shadrack Stanley vs. the United States for 200 acres. This case being called, it came by its attorney, who said it is not prepared for trial; it is therefore considered by the Board, and they order that the said case stand for trial at the foot of the docket.

No further business appearing, the Board adjourned until to-morrow, at 2 o'clock, P. M.

TUESDAY, APRIL 27, 1824.

On account of the indisposition of the honorable W. W. Blair, the Board was adjourned until to-morrow, at 2 o'clock, P. M.

WEDNESDAY, APRIL 28, 1824.

Owing to the continued indisposition of the honorable W. W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

THURSDAY, APRIL 29, 1824.

On account of the continued indisposition of the honorable W. W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

FRIDAY, APRIL 30, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

The following claims, viz. Frederick McMurren for 450 acres of land; A. Bellamy, Sen. for 350 acres; Lewis Mattair for 300 acres; Moses E. Levy for 275 acres, and Lewis Mattair 150 acres, being called, were submitted and confirmed by the Board.

Robert Hutchinson vs. the United States for 350 acres of land. This case being called was submitted, and, after due consideration, it is ordered to lay over for further advisement.

Charles Love for 300 acres; John Houston for 358½ acres; Robert Miller et ux. for 60 acres; Tucker's administratrix for 230 acres; John Underwood for 600 acres; and John B. Richard's heirs for 230 acres. These cases being called, they respectively came by their attorney, and said they are not prepared for trial; it is therefore considered by the Board, and they order that the said cases stand for trial at the foot of the docket.

The Board adjourned until to-morrow at 2 o'clock, P. M.

SATURDAY, MAY 1, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and W. W. Blair.

A. Bellamy, Esq. Attorney at the Bar, attended the Board this day for Edgar Macon, Esq. District Attorney for the United States.

Bartolome de Castro y Ferrer for 35 acres of land, and same for 1000 acres. These cases being called, were submitted and confirmed by the Board.

Juan Gianopoly vs. the United States for 15 acres of land. This case being called, was submitted, and, after having examined G. Darling and Philip Solana. after due consideration it is ordered to lay over for further consideration.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

MONDAY AFTERNOON, MAY 31, 1824.

The Board met this day.

Present, the honorable Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

Archibald Clark presented his memorial to this Board, praying confirmation of title to 80,000 acres of land, situated at or near Cape Florida, with a certified copy of a grant made to John X. Arrambide, by the provincial deputation at Havana, the 4th of December, 1813; also a special power of attorney from said Arrambide to James Rixbey, executed at Nassau, New Providence, the 15th July, 1817; also a deed of conveyance from the said James Rixbey as attorney in fact for the abovementioned Arrambide to Archibald Clark, dated the 1st of December, 1817, with a plat of said land, which are ordered to be filed.

Andrew Atkinson, by his attorney Archibald Clark, presented his memorial to this Board praying confirmation of title to 450 acres, more or less, situated at a place known by the name of the King's Plantation, or Ship Yard, with a copy of royal title made to said Atkinson by Governor Coppinger, dated the 5th of April, 1816, which are ordered to be filed.

William and John Lofton vs. the United States, for 50 acres.— This case being called, was submitted and confirmed by the Board.

John Jones vs. the United States, for 100 acres. This case being called, was taken into consideration by the Board, and the evidence not being sufficient for the confirmation thereof, it was rejected.

Sarah Petty vs. the United States, for 265 acres. This case being called, it was, after due consideration, ordered to lay over for further advisement.

The following claims, viz: Sarah Petty for 200 acres; same for 150; Pedro Tropé 150; William and John Lofton for 350; and Joseph Sommerall for 300, being called, and not being prepared for trial, it is, therefore, considered and ordered by the Board, that they be placed at the foot of the docket.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

TUESDAY, JUNE 1st, 1824.

The Board met this day, pursuant to adjournment.

Present the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

Permission having been obtained, Pedro Miranda presented his claim to this Board for two thousand acres of land, situated at Bernard, St. John's river, for adjudication, which was submitted, and confirmed by the Board.

Pedro Miranda obtained leave and presented his claim to the Board for 2000 acres of land, situated at Big Spring; which was submitted, and ordered to lay over.

The Board adjourned until to-morrow, at 2 o'clock P. M.

WEDNESDAY, JUNE 2, 1824.

On account of the indisposition of the Hon. W. W. Blair, the Board adjourned until to-morrow, at 2 o'clock P. M.

Edgar Macon, Esq. United States' attorney for the District of East Florida, attended the Board this day, under their order.

THURSDAY, JUNE 3d, 1824.

Owing to the continued indisposition of the Hon. W. W. Blair, the Board adjourned until to-morrow, at 2 o'clock.

Edgar Macon, Esq. United States' Attorney, attended the Board this day, under their order.

FRIDAY, JUNE 4th, 1824.

The Board met this day.

Present the Hon. Davis Floyd, and W. W. Blair.

Edgar Macon, Esq. United States's Attorney for the District of East Florida, attended the Board this day, under their order.

The widow and heirs of Antonio Andrew, deceased, presented their memorial to the Board, praying confirmation of title to one hundred and twenty acres of land, situated on the North river, about nine miles north of St. Augustine, with a certified copy of royal title, made in favor of Lorenzo Capella, by Governor White, and dated the 10th of April, 1804—also, a certified copy of conveyance from said Capello to Antonio Andrew, dated the 16th February, 1805, and marked A; which are ordered to be filed.

Joseph Summerall vs. the United States, for 400 acres of land. This case being called, was submitted, and, after due consideration, was confirmed by the Board.

The Board then adjourned until to-morrow, at 2 o'clock P. M.

SATURDAY, JUNE 5th, 1824.

The Board met this day, pursuant to adjournment.

Present the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

Juan Segui presented his memorial to this Board, praying confirmation of title to one hundred and seven acres of land, situated on the North river, about nine miles north of St. Augustine, with a certified copy of conveyance from Lazaro Ortega to memorialist, dated the 29th of April, 1809, marked and referred to as exhibit S; which are ordered to be filed.

Antonio Proctor vs. the United States, for 185 acres of land. This case being called up, was submitted, and confirmed by the Board.

Joseph Delespine vs. the United States, for 43,000 acres of land. This case being called, the Board examined George J. F. Clark, Antonio Alvarez, and Pablo F. Fontane therein, and, not being sufficiently advised therein, it is ordered to lay over for further investigation.

Ramon Sanchez vs. the United States, for 200 acres of land. This case being called, and being prepared for trial, was submitted, and confirmed by the Board.

Permission having been obtained, F. M. Arredondo, by his attorney, presented his claim to the Board for 15,000 acres of land, for

adjudication, which was submitted, and, after due consideration, it is ordered, that the same be advised for confirmation.

There being no further business, the Board adjourned until Monday next, at 2 o'clock P. M.

MONDAY, JUNE 7th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

Francis P. Sanchez *vs.* the United States. for 100 acres of land. This case was called, and, being prepared for trial, was submitted and confirmed by the Board.

The Board adjourned until to-morrow, at 2 o'clock P. M.

TUESDAY, JUNE 8th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, United States' Attorney for the district of East Florida, attended the Board, under their order.

The two following claims, viz: Francis P. Sanchez, for 900 acres and 200 acres of land, being called, and not being prepared for trial, it is therefore considered, and ordered by the Board, that they be placed at the foot of the docket. Francis P. Sanchez, for 220 acres, same for 380 acres of land. These cases being called, and not being fully advised therein, it is ordered that they be postponed until the 10th instant.

The Board then adjourned until Thursday next, the 10th inst. at 2 o'clock.

THURSDAY, JUNE 10th, 1824.

The Board met this day.

Present, the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

Francis P. Sanchez, *vs.* the United States. for 220 acres of land. This case came by its attorney, John Drysdale, who obtained permission and introduced, as additional testimony, Gabriel W. Perpall; the Board being fully advised of and concerning the same, it was confirmed.

Francis P. Sanchez *vs.* the United States, for 380 acres, and same for 800 acres. These cases being called, came, by their attorney, John Drysdale, and being prepared for trial, were submitted, and the Board being fully advised thereof, they were confirmed.

The following cases, viz: Francis P. Sanchez, for 345 acres, same for 2700 acres, and Philip R. Yonge, for 2000 acres of land, being

called, and not being proposed for trial, it is, therefore, ordered by the Board, that they be placed at the foot of the docket.

The Board then adjourned until to-morrow, at 2 o'clock P. M.

FRIDAY, JUNE 11th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

The following claims, viz: George Atkinson, for 1,060 acres, and same for 550 acres of land, being called, were submitted, and the Board being fully advised of and concerning the same, the first was advised for confirmation, and the next confirmed.

George Atkinson, for 220 acres, same for 600 acres, and same for 390 acres of land. These cases being called, and not being prepared for trial, it is therefore considered, and ordered by the Board, that the said cases stand for trial at the foot of the docket.

The Board then adjourned until to-morrow, at 2 o'clock P. M.

SATURDAY, JUNE 12th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

Robert Miller et ux vs. the United States, for 60 acres of land. This case being called, was taken into consideration by the Board, and the evidence not being sufficient for the confirmation thereof, it was rejected.

Tucker's Adm. vs. the United States, for 230 acres of land. This case being called, and being prepared for adjudication, was submitted, and confirmed by the Board.

Francis Terreira, by his attorney, George Murray, obtained permission, and presented his claim to the Board for an Island called *Key Vacas*, for adjudication; which was submitted, and, after examining Jose Bernardo Reyes therein, was ordered to lay over for further consideration.

The Board then adjourned until Monday next, at 2 o'clock P. M.

MONDAY, JUNE 14th, 1824.

The board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' attorney for the district of East Florida, attended the Board this day, under their order.

No business appearing before the Board, they adjourned until to-morrow at two o'clock, P.M.

TUESDAY, JUNE 15th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and William W. Blair.

Edgar Macon, Esq., United States' Attorney for the District of East Florida, attended the Board this day under their order.

Mr Murray, attorney for F. M. Arredondo, was permitted by the Board, to withdraw the following claims, namely, 700 acres, 200 acres, and 500 acres of land, for the purpose of amending the memorials thereof, by substituting the name of F. J. Fatio et al in place of F. M. Arredondo.

The counsel for the heirs of Charles W. Bulow, deceased, were allowed to withdraw their memorials for 4675 acres of land, for the purpose of amending the same.

The Board adjourned, until to-morrow at two o'clock P. M.

WEDNESDAY, JUNE 16th, 1824.

On account of the indisposition of the Hon. William W. Blair, the Board adjourned until to morrow at two o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

THURSDAY, JUNE 17, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney, for the District of East Florida, attended the Board this day, under their order.

Francis J. Fatio, for himself, the widow, and other heirs of Philip Fatio, deceased, obtained leave, and presented their memorial to the Board, praying confirmation of title to 700 acres of land, and two small marsh islands in front, which was submitted; and the Board not being fully advised thereof, the said claim was laid over, with leave to produce further evidence concerning the same.

Robert Hutchinson vs. the United States for 550 acres of land; M. Bellamy, attorney for claimant, obtained, and presented the same with further evidence; and the Board being fully advised of, and concerning the same, it was confirmed.

Mr. Drysdale, attorney for Francis P. Sanchez, obtained leave from the Board, and filed, this day, sundry documents on the claims following, viz. 800 acres; 2,700 acres; and 345 acres.

The Board adjourned until to-morrow, at two o'clock.

FRIDAY, JUNE 18, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney, for the District of East Florida, attended the Board this day, under their order.

Isaac Hendricks vs. the United States for 216 acres of land; upon application of Mr. Bellamy, attorney for claimant, the order of rejection, in this case, was set aside, and, upon further evidence being submitted to the Board, it was confirmed.

On motion of the district attorney, George J. F. Clarke was examined in the case of Francis Ferriera vs. the United States, for *Key Vacas*; and, on motion of Mr. Murray, attorney for claimant, Pedro Miranda was also examined therein.

On motion of Mr. Murray, George J. F. Clarke was examined in the case of Francis J. Fatio, et. al. vs. the United States, for 700 acres of land.

The Board adjourned until to-morrow, at two o'clock, P. M.

SATURDAY, JUNE 19th, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

The following claims, viz. John Houston, for 270 acres; same, for 160 acres; same, for 155 acres; and same for 120 acres of land, being called, were submitted; and, the Board not being fully advised thereof, the said claims were laid over, with leave to produce further evidence concerning the same.

The Board resumed the consideration of the case of Francis Ferreira vs. the United States for *Key Vacas*, and examined Gabriel W. Perpall, and Ede Van Evour, therein; and the same was advised for confirmation.

The Board adjourned until Monday next, at two o'clock, P. M.

MONDAY, JUNE 21, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney, for the District of East Florida, attended the Board this day, under their order.

John Houston, for 270 acres; same, for 160 acres; same, for 155 acres; same, for 120 acres; Samuel Worthington, for 100 acres, and Robert Hutchinson, for 150 acres of land; these cases being called, and, after examining George J. F. Clarke therein, were, after due consideration, confirmed by the Board.

Samuel Worthington vs. the United States for 100 acres. This case being called, and the evidence not being sufficient for confirmation thereof, it was rejected by the Board.

Shadrick Stanley vs. the United States for 300 acres of land. This case being called, George J. F. Clarke was examined therein, and the Board not being sufficiently advised therein, it was ordered to lay over for further advisement.

On motion, Nicholas Rodriguez was permitted by the Board to withdraw his claim for 100 acres, on Anastatia island, for the purpose of amending the memorial thereof.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

TUESDAY, JUNE 22, 1824.

On account of the indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

WEDNESDAY, JUNE 23, 1824.

Owing to the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

THURSDAY, JUNE 24, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

FRIDAY, JUNE 25, 1824.

Owing to the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney, for the District of East Florida, attended the Board this day, under their order.

SATURDAY, JUNE 26, 1824.

Owing to the continued indisposition of the Hon. William W. Blair, the Board adjourned until Monday next, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

TUESDAY, JUNE 29, 1824.

The Board met this day.

Present, The Hon. Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

There being no regular business on the docket, on motion of Mr. Murray, the following claims came before the Board, viz: John B. Entralgo, for 20,000 acres; same for 4,000; and same for 2,000 acres

of land. The Board having examined B. Segui therein, and being fully advised of and concerning the same, they were severally advised for confirmation.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

WEDNESDAY, JUNE 30, 1824.

The Board met this day pursuant to adjournment.

Present, The Hon. Davis Floyd, and William W. Blair.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

On motion of Mr. Bellamy, leave was given to amend a memorial for 358½ acres of land, by substituting the name of John Christopher, in the place of John Houston; and, also, with leave to introduce, as evidence in the said case, the will of Spicer Christopher.

Permission having been obtained, and there being no regular business on the docket, John B. Entralgo, by his attorney, presented the following claims, viz: 1,000 acres; 10,400 acres; and 4,000 acres of land. The Board having examined José B. Reyes therein, and being fully advised of and concerning the same, the first thereof was confirmed, and the two last advised for confirmation.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

THURSDAY, JULY 1, 1824.

On account of the indisposition of the honorable William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

FRIDAY, JULY 2, 1824.

Owing to the continued indisposition of the honorable William W. Blair, the Board adjourned until to-morrow.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day under their order.

TUESDAY, JULY 6, 1824.

The Board met this day.

Present, the honorable Davis Floyd and William W. Blair.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day under their order.

The following cases, viz. Francis P. Sanchez for 2,000 acres; same for 2,700 acres; and same for 345 acres of land, being called, were submitted, after examining Pedro Miranda therein, and the Board being fully advised of and concerning the same, the two first were advised for confirmation, and the last confirmed.

The Board then adjourned until to-morrow at 2 o'clock, P. M.

WEDNESDAY, JULY 7, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and William W. Blair.

Edgar Macon. Esq. United States' Attorney for the district of East Florida, attended the Board this day under their order.

Anna Ortega, by her attorney George Murray, presented her memorial to this Board praying confirmation of title to 100 acres of land situated about twelve miles to the southward of Lake George, with a conveyance from Andres Burgevin to memorialist, dated the 29th of May, 1822, which are ordered to be filed.

Anna Ortega presented her memorial to this Board praying confirmation of title to one hundred acres of land, situated near a place called the Big Spring, 25 miles south of Lake George, with a conveyance from Andrew Burgevin to her, dated the 7th of June, 1822, which are ordered to be filed.

Andrew Burgevin presented his memorial to this Board praying confirmation of title to 500 acres of land, situated on a branch that runs from the west into the river St. John's, about 12 miles south of Lake George, with no exhibits, which is ordered to be filed.

John Christopher vs. the United States for 358½ acres of land. This case being called, came by its attorney, A. Bellamy, who having produced the will of Spicer Christopher, deceased, as further evidence therein, and the Board being fully advised of and concerning the same, it was confirmed.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

THURSDAY, JULY 8, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and W. W. Blair.

Edgar Macon. Esq. United States' Attorney for the district of East Florida, attended the Board this day under their order.

Francis P. Sanchez vs. the United States for 900 acres of land. The evidence produced in this case not being sufficient to confirm the whole, the Board, after due consideration, confirmed 600 acres thereof, and claimant obtained permission to present a new memorial for the remaining 300 acres.

Philip R. Yonge vs. the United States for 2,000 acres of land. This case being called and being prepared for trial, was submitted, and the Board being fully advised of and concerning the same, it was advised for confirmation.

Ordered, that John Drysdale, Esq. be, and hereby is, appointed a commissioner to examine certain papers and documents required to be produced by a subpoena duces tecum issued against Horatio S. Dexter, in the case of F. M. Arredondo for 256,000 acres, and Moses E. Levy for 64,000 acres of land.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

FRIDAY, JULY 9, 1824.

On account of the indisposition of the honorable William W. Blair, the Board adjourned until to-morrow, at 2 o'clock.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

SATURDAY, JULY 10, 1824.

Owing to the continued indisposition of the honorable William W. Blair, the Board adjourned until Monday next, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

MONDAY, JULY 12, 1824.

The Board met this day.

Present. the honorable Davis Floyd and Wm. W. Blair.

Edgar Macon, Esq. United States' Attorney for East Florida, attended this day, under their order.

Francis J. Fatio et al. by their attorney George Murray, presented their memorial to this Board praying confirmation to 200 acres of land, situated near the head of St. Sebastian Creek, about four miles north of St. Augustine, with a British grant made to Judith Shivers by Governor Tonyn, the 16th of June, 1782; also, a plat and certificate of survey by Benjamin Lord, Deputy Surveyor General, certified the 20th May, 1782; also a conveyance from said Judith Shivers to Francis Philip Fatio, dated the 7th of March, 1785, which are ordered to be filed.

The following claims, viz. George Atkinson as executor of Lindsey Todd, deceased, for 600 acres, and same for 390 acres of land. These cases being called, and being prepared for trial, were submitted, and, after due consideration, the Board confirmed the same for, and on behalf of, the legatees of the said Lindsey Todd, deceased.

Mr. Murray obtained permission, and presented the following claims, viz. John B. Entralgo for 4,000 acres; same for 3,400 acres; William Travers for 12,000 acres, and same for 8000 acres of land. These cases being prepared for trial, were severally submitted and recommended for confirmation.

The Board adjourned until to-morrow, at 2 o'clock, P. M.

TUESDAY, JULY 13, 1824.

The Board met pursuant to adjournment.

Present, the honorable Davis Floyd and Wm. W. Blair.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

Mr. Murray obtained permission, and presented the following claims for adjudication, viz. John Forbes & Co. for 1,800; John

Forbes for 7,000 acres; and same for 3,000 acres of land. These cases being prepared, were severally recommended for confirmation.

Wm. Travers, one of the heirs of Thomas Travers, vs. the United States for 125 acres of land. This case came by its attorney, Mr. Murray, and the same being prepared for trial, was submitted, and confirmed by the Board in the name of the grantees.

William Travers, as administrator and heir, as also for the other heirs of Thomas Travers, deceased, for 750 $\frac{1}{2}$ acres, and John B. Entralgo, for 1,000 acres of land. These cases came by their attorney, Mr. Murray, were submitted, and after examining F. J. Fatio and A. Bellamy therein, the Board not being fully advised of concerning the same, they were laid over for further advisement.

The Board then adjourned until to-morrow, at 2 o'clock, P. M.

WEDNESDAY, JULY 14, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and W. W. Blair.

Edgar Macon, Esq United States' Attorney for the District of East Florida, attended the Board this day. under their order.

Mr. Drysdale obtained permission, and presented the following claims for adjudication, viz. F M. Arredondo. jun. for 256 000 and M. E. Levy, for 64,000 acres of land. After the testimony on the part of the claimant had been gone through, Mr. Macon, District Attorney, moved, that the said cases lay over until to-morrow, to give him an opportunity to produce evidence on the part of the United States, which was granted.

John D. Vaughn vs. the United States, for 250 acres of land. Mr. Gibson, attorney for claimant, obtained permission, and presented the said claim, and the Board being fully advised of and concerning the same, it was confirmed.

John D. Vaughn vs. the United States, for 950 acres of land. This case being submitted, and the Board not being fully advised thereof, it was ordered to lay over for further consideration.

The Board adjourned until to-morrow at 2 o'clock, P. M.

THURSDAY, JULY 15, 1824.

On account of the indisposition of the Hon. William W. Blair, the Board was adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order,

FRIDAY, JULY 16, 1824.

On account of the continued indisposition of the Hon. Wm. W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, United States' Attorney for East Florida, attended the Board this day under their order.

SATURDAY, JULY 17, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

MONDAY, JULY 19, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

TUESDAY, JULY 20, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

WEDNESDAY, JULY 21, 1824.

On account of the continued indisposition this day, of the Hon. William W. Blair, the Board was adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

THURSDAY, JULY 22, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

FRIDAY, JULY 23, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

SATURDAY, JULY 24, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

MONDAY, JULY 26, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

TUESDAY, JULY 27, 1824.

On account of the continued indisposition of the Hon. William W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended this day.

WEDNESDAY, JULY 28, 1824.

Owing to the continued indisposition of the Hon. Wm. W. Blair, the Board adjourned until to-morrow, at 2 o'clock, P. M.

Edgar Macon, Esq. United States' Attorney for East Florida, attended this day.

ST. AUGUSTINE, *August 24, 1824.*

This day the Hon. George Murray produced a commission from the President of the United States, appointing him, by and with the advice and consent of the Senate, a Commissioner to ascertain claims and titles to land in East Florida. vice Wm W. Blair, and, thereupon, the Board of Land Commissioners for East Florida (a quorum being present) proceeded to business.

Present, the Hon. Davis Floyd, and George Murray.

Edgar Macon, Esq. United States' Attorney for East Florida, attended the Board this day, under their order.

Timothy Hollingsworth, guardian of Francis, Carlota, Margaret, and Isabel Bagley, presented his memorial to this Board, praying confirmation of title to nine hundred and ninety acres of land, situated at a place called Brown's Fort, west of St. John's River, with a certified copy of plat, and certificate of survey, made for Timothy Hollingsworth, by Peter Marrat, dated the 3d of April, 1793, and marked A. which are ordered to be filed

Joseph F. White, presented his memorial to this Board, praying confirmation of title to two undivided third parts of a tract of land, containing two thousand acres, situated in the territory of Mosquito, west of New Smyrna, with a certified copy of royal title, made to Samuel Betts by Governor Estrada, and dated the 3d of July, 1815, which are ordered to be filed.

Timothy Hollingsworth, guardian of Francis, Charlotte, Margaret, and Isabella Bagley, presented his memorial to this Board, praying confirmation of title to two hundred and forty-eight acres of land, at a place called Bagley, on Goodman's Lake, in St. John's

river, with a certified copy of plat and certificate of survey, made for Timothy Hollingsworth by Pedro Marrot, dated the 7th of April, 1793, which are ordered to be filed.

Joseph F. White presented his memorial to this Board, praying confirmation of title to two undivided third parts of a tract of land, containing one thousand eight hundred acres, on Matanza River, with a certified copy of royal title to Hipworth Carter, by Governor Estrada, dated the 3d of July, 1815, also a conveyance from Samuel Betts to memorialist, dated the 13th of April, 1816, which are ordered to be filed.

Joseph F. White presented his memorial to this Board, praying confirmation of title to two undivided third parts of a house and lot situated in the city of St. Augustine, in the street back and west of the government house, with a conveyance from Samuel Betts to memorialist, dated the 13th of April, 1816, which are ordered to be filed.

William Dry, by his attorney, D. B. Macomb, presented his memorial to this Board, praying confirmation of title to one thousand acres of land, lying on the east fork of Diego River, with a British grant made to Alexander Gray, by Governor Grant, dated the 16th of February, 1771, and marked exhibit "A;" also, a lease from said Gray to memorialist, dated the 26th of December, 1775, and marked exhibit "B;" and a release for the same from said Gray to memorialist, dated the 27th of December, 1775, and marked exhibit A, which are ordered to be filed.

William Dry, by his attorney, D. B. Macomb, presented his memorial to this Board, praying confirmation of title to a lot of land, lying in the city of St. Augustine, in Jenkins' quarter, and designated as No. 4, with a British grant made by Governor Tonyn to Wm. Wilson, dated the 27th of March, 1775; also, accompanying the said grant, an order and plat of survey, dated the 9th of June, 1773, with a lease made to William Dry, dated 29th December, 1775, and likewise, a release to memorialist from said Wilson, dated 30th December, 1775, which was ordered to be filed.

William Dry, by his attorney, D. B. Macomb, presented his memorial to this Board, praying confirmation of title to a lot of land, lying in the city of St. Augustine, in Skinner's quarter, with a British grant made by Governor Grant to Richard Pritchard, dated the 12th of February, 1768, also, a lease from said Pritchard to Wm. Wilson, dated the 14th of December, 1772; and, also, a release from said Pritchard to Wilson, dated the 15th of December, 1775, which are ordered to be filed.

Margaret Acosta, by her attorney, William G. Davis, presented her memorial to this Board, praying confirmation of title to six hundred and forty acres, lying without and north of the gates of St. Augustine, with a certified copy of concession to John Villalonga, of 341½ English yards, dated the 3d of June, 1807; also, attached thereto, an assignment from Margaret Acosta, and Maria Villalonga, to said Davis, dated the 5th July, 1824; ordered to be filed.

Mary Ann Davis presented her memorial to this Board, praying confirmation of title to one hundred and seventy-five acres of land, lying in an island called *Key Bissaino*, one of the Florida Keys, with a certified copy of concession to Pedro Fornells, by Governor White, dated the 18th of January, 1805; also, a conveyance from Rafael Andrews and Francisco Andrews, to memorialist, dated the 12th of July, 1824; ordered to be filed.

William Branning, by his attorney, presented his memorial to this Board, praying confirmation of title to six hundred and forty acres of land, lying in the south side of Black Creek, about three miles below the forks of said creek; ordered to be filed.

Richard Tice presented his memorial to this Board, praying confirmation of title to six hundred and forty acres of land, lying near Cape Florida and the river Miami, and opposite Key Biscaino; filed.

Santos Rodriguez' heirs presented their memorial to this Board, praying confirmation of title to two thousand acres of land, lying on the east side of the river St. John's, near Dunn's Lake; filed.

William Craig presented his memorial to this Board, praying confirmation of title to four hundred and fifty acres of land, lying in the east side of the river St. John's, at a place called Red Bank, with a certified copy of plot and certificate of survey, made by Pedro Marrot, in favor of Francis Flora, dated the 1st March, 1793, and marked A; also, a certified copy of royal title made by Gov. Kindelan to William Craig, dated the 20th of March, 1815, and marked "B;" filed.

William Craig presented his memorial to this Board, praying confirmation of title to two hundred and fifty acres of land, lying on the river St. John's, at a place called St. Nicholas' Cove, with a certified copy of plat and certificate of survey, made by Pedro Marrot, for John Hansman, dated the 18th of January, 1792, and marked "C;" also, a certified copy of royal title made by Governor Kindelan to memorialist, dated 20th March, 1815, and marked W; filed.

Andrew Branning, by his attorney, D. B. Macomb, presented his memorial to this Board, praying confirmation of title to six hundred and forty acres of land, lying about nine miles up Black Creek, St. John's River, at a place called Brown's Fort; which is ordered to be filed.

George and Samuel Branning, by their attorney, D. B. Macomb, presented their memorial to this Board, praying confirmation of title to six hundred and forty acres of land, lying on the north prong of Black Creek, in Duval county; filed.

Nicholas Sanchez' heirs, by their attorney, John B. Strong, presented their memorial to this Board, praying confirmation of title to three hundred and eighty-five acres of land, lying near Diego Plains, to the north of St. Augustine, with a certified copy of royal title, by Governor Coppinger to Nicholas Sanchez, and dated the 24th of April, 1816; filed.

Pollard McCormick, by his attorney John B. Strong, presented his memorial to this Board, praying confirmation of title to two thousand acres of land, lying on the Halifax river, at a place called Penman's plantation, with a certified copy of concession to David McCormick, by Governor White, dated 13th of July, 1823; also, memorial and permission for survey, by Governor White, dated the 3d October, 1803; filed.

John Salome, by his attorney, John B. Strong, presented his memorial to this Board, praying confirmation of title to three hundred and fifty acres of land, lying on St. John's river, at a place called Montpelier, with a certified copy of plat and certificate of survey, made by Pedro Marrot, to Samuel Eastlake, and dated the 6th of January, 1792; filed.

The Board then adjourned until to-morrow, at 10 o'clock, A. M.

WEDNESDAY, AUGUST 25, 1824.

The Board met this day.

Present, The Hon. Davis Floyd, and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

John B. Strong presented his memorial to this Board, praying confirmation of title to six hundred and forty acres of land, on St. John's river; filed.

William Mills, et. al. by their attorney, John B. Strong, presented their memorial to this Board, praying confirmation of title to sixteen thousand acres of land, lying in a creek called Mulberry, and near the road to the New Mosquitoes, and two miles from the head of Graham's swamp, with a certified copy of concession made by Governor White to William Mills, dated the 4th of January, 1805; filed.

Francis Gué, by his attorney, John B. Strong, presented his memorial to this Board, praying confirmation of title to a house and lot in St. Augustine, which was erected for a smithy; filed.

José B. Reyes, by his attorney, John B. Strong, presented his memorial to this Board, praying confirmation of title to one thousand seven hundred acres of land, lying at a place called the Swamp, and plantation of Goold Richard, about three miles from the ferry of St. Augustine, with a certificate of concession by Governor White to memorialist, dated the 15th of September, 1803; filed.

Isaac Hendricks, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to five hundred acres, lying on the north side of St. John's river, near Jacksonville, with a certificate of concession by Governor White to John Jones, dated the 11th of February, 1801; filed.

Joseph Mills, by his attorney, Abraham Bellamy, presented his memorial to this Board, praying confirmation of title to two hundred acres, lying on Six Mile creek, which communicates with Trout creek eight miles below St. Nicholas, on the river St. John's, with a

concession to memorialist by Governor Quesada, dated the 15th of February, 1793; filed.

Frederick Hartley, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to four hundred acres of land, lying at a place called St. Nicholas, on St. John's river, with a certificate of concession to memorialist by Governor White, dated the 7th of May, 1803; which are ordered to be filed.

Robert Gilbert, et. al. by their attorney, presented their memorial to this Board, praying confirmation of title to two hundred acres, on St. John's river; filed.

Robert Gilbert, et. al. by their attorney A. Bellamy, presented their memorial to this Board, praying confirmation of title to three hundred acres of land, lying on St. John's river; filed.

John R. Hogans, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to six hundred and forty acres, lying on the north side of the river St. John's, with a conveyance from memorialist to W. G. Dawson, and dated the 24th July, 1823; filed.

John Houston, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to seven hundred acres of land, lying on St. John's river, at a place called Dames Point, and on Star Island, river Nassau, with a certified copy of concession by Governor Coppinger to memorialist, dated the 20th of May, 1818; filed.

William Gardner, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to six hundred and forty acres, lying on Julington creek, one mile from St. John's river; filed.

Pedro Cocifacio presented his memorial to this Board, praying confirmation of title to four hundred acres of land, lying at Marias Hammock, to the west of St. John's river, with a translation of concession by Governor Quesada to memorialist, dated October 22, 1793; filed.

James Riz, et. al. presented their memorial to this Board, praying confirmation of title to six hundred and forty acres of land, lying at Picolata, on the river St. John's; filed.

William Travers, for, and on behalf of himself, and the other heirs of Thomas Travers, deceased, by their attorney, John Drysdale, presented their memorial to this Board, praying confirmation of title to three hundred acres of land, lying about five miles west of St. Augustine, with a British grant, made to James Penman by Governor Grant, dated the 4th of January, 1768, and a plat and certificate of survey attached thereto, dated the 2d of September, 1767; also, a lease for one year, from James Penman to Joseph Peavelt, dated the 19th of September, 1779; ordered to be filed.

The Board then adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, August 26, 1824.

The Board met this day, pursuant to adjournment.

Present. The Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

Lewis Pike's heirs, by their attorney, Isaac N. Cox, presented their memorial to this Board, praying confirmation of title to four hundred acres of land, lying twenty-seven miles from St. Augustine, one mile from the road to St. Nicholas, with a certified copy of concession to Lewis Pike, by Governor White, dated the 5th of May, 1801, and marked A.; also, a plat and certificate of survey, made by G. Darling, dated the 10th of March, 1824, and marked B.; filed.

John B. Gaudry, by his attorney, Isaac N. Cox, presented his memorial to this Board, praying confirmation of title to one thousand five hundred acres of land, lying at a place called Spring Garden, on the river St. John, with a certified translation of concession, by Governor Coppinger to Bartolome de Castro y Ferrer, dated the 9th of October, 1817, and marked A.; also, a certified translation or certificate of survey by Robert McHardy, dated the 16th December, 1817, marked B.; and a deed of conveyance from said Ferrer to memorialist, dated the 11th June, 1822, and marked C.; filed.

John Drysdale presented his memorial to this Board, praying confirmation of title to a lot of ground in the city of St. Augustine, measuring N. and S. 22 varas, and E. and W. 23 varas; filed.

John G. Brindly, by his agent, John M. Fontané, presented his memorial to this Board, praying confirmation of title to six hundred and forty acres of land, lying on the north of Black creek, Duval county, with two affidavits; one by William Molphus, dated 16th August, 1824, and the other by Hannah Nobles, dated the 18th of August, 1824; filed.

David Scurry, by his agent, John M. Fontané, presented his memorial to this Board, praying confirmation of title to six hundred and forty acres, lying on the south of St. John's river, and on the east of Goodly's lake; filed.

James Hall, by his agent, John M. Fontané, presented his memorial to this Board, praying confirmation of title to two hundred and fifty acres of land, lying at a plantation called the Bay of St. Nicholas, on the river St. Johns, with a certified copy of royal title, by Governor Kindelan to William Craig, dated the 20th of March, 1815; filed.

James Hall, by his agent, John M. Fontané, presented his memorial to this Board, praying confirmation of title to four hundred and fifty acres of land, lying at a place called Red Bank, on the river St. John's, with a certified copy of royal title, by Governor Kindelan to William Craig, dated the 20th of March, 1815; filed.

Antonio Hinsman vs. the United States for 240 acres of land. This case being called, and Francis J. Fatio being examined therein, and the Board being fully advised of and concerning the same, it was confirmed.

Philip Weadman vs. the United States for 150 acres. This case being called, and being prepared for trial, was, after due consideration, confirmed by the Board.

No further business appearing, the Board adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, AUGUST 27, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

Jesse Carlisle presented his memorial to this Board praying confirmation of title to 640 acres, lying on Little Black Creek, St. John's River, at a place called Fergusin's Neck, at the head of Doctor's Lake. Filed.

Nicholas Estefanopoly, by his attorney, Isaac N. Cox, presented his memorial to this Board praying confirmation of title to 2500 acres of land, lying on the river Sewanee, with a concession to memorialist by Governor Kindelan, dated the 23d of May, 1815, and marked A. Filed.

George Gianopoly, by his attorney, Isaac N. Cox, presented his memorial to this Board praying confirmation of title to 640 acres, lying ———, with a plat and certificate of survey, made by G. Darling, dated the 20th of March, 1824, and marked A. Filed.

Emanuel Gianopoly, by his attorney, Isaac N. Cox, presented his memorial to this Board praying confirmation of title to 640 acres, lying on the Twelve Mile Swamp, eleven miles from St. Augustine, with a plat and certificate made by G. Darling, dated 21st March, 1824, and marked A. Filed.

G. Darling, by his attorney, J. N. Cox, presented his memorial to this Board praying confirmation of title to 640 acres of land, lying on the Twelve Mile Swamp, about eleven miles from St. Augustine, with a plat and certificate made by G. Darling marked A, which are ordered to be filed.

The following claims, viz. James Hall for 775 acres; Eleazer Waterman's heirs for 175 acres; same for 270 acres, being called, and, being prepared for trial, were, after due consideration, confirmed by the Board.

Agueda Segui vs. the United States for 1200 acres of land. This case being called, and being prepared for trial, was recommended for confirmation by the Board.

Andrew R. Govan, by his attorney, Edward R. Gibson, obtained permission, and presented his claim for 600 acres of land, for adjudication. Francis J. Fatio being examined therein, and the Board being fully advised of, and concerning the same, it was confirmed.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

SATURDAY, AUGUST 28, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

Mr. Drysdale moved for permission to present and file the following claim, viz. Thomas Lorente for 2000 acres of land, situated and being on the west side of Indian River, opposite the Haul-over, by a grant of Governor Coppinger, bearing date the 20th of June, 1818; which was rejected because the said grant was made subsequently to the 24th of January, 1818.

Moses E. Levy, by his attorney, John Drysdale, moved for permission to withdraw his claim for 2000 acres of land; which was granted.

No further business appearing, the Board adjourned until Monday next, the 30th instant, at 10 o'clock, A. M.

MONDAY, AUGUST 30, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

Mills Drury's heirs, by their attorney, Isaac N. Cox, presented their memorial to this Board praying confirmation of title to 300 acres, more or less, lying about four miles from the head of Nassau River, with a certified copy of plat and certificate of survey by Pedro Marrot to Mills Drury, dated the 7th of April, 1792, and marked A; also an affidavit by Francis Sterling, dated the 28th of August, 1824, marked B; which are allowed to be filed.

Isaac N. Cox presented his memorial to this Board praying confirmation of title to an undivided fifth part of a tract of land containing 2,500 acres, lying on the west side of the river Suwanee, at the crossing place. Ordered to be filed.

Cornelius Griffith's heirs, by their attorney, David B. Macomb, presented their memorial to this Board praying confirmation of title to 300 acres of land lying on the banks of the river St. Mary's, on the east side of a creek known by the name of Mill Creek, with a concession from Governor White to Cornelius Griffiths, dated the 9th December, 1802. Filed.

Cornelius Griffith's heirs, by their attorney, David B. Macomb, presented their memorial to this Board praying confirmation of title to 450 acres of land lying on the head of Nassau River, about half a mile between two Creeks, which form said river, with a certified copy of plat and certificate of survey, by Pedro Marrot to Cornelius Griffith, dated the 8th of April, 1792. Filed.

Francis Goodwin's heirs, by their agent in fact, and attorney, David B. Macomb, presented their memorial to this Board praying con-

firmation of title to 643½ acres of land, lying on Azzar Creek, St. John's River, with a plat and certificate by Pedro Marrot, to Francis Goodwin, dated the 14th of May, 1792. Filed.

Mary Haydn presented her memorial, by her attorney, David B. Macomb, to this Board, praying confirmation of title to 250 acres of land, lying on the south of Orange Grove, Matanzas, and north of the plantation of Jos. Dupon. Filed.

Robert Gilbert, by his attorney, D. B. Macomb, presented his memorial to this Board praying confirmation of title to 230½ acres of land, lying near the St. John's River. Filed.

John Jones, by his attorney, D. B. Macomb, presented his memorial to this Board praying confirmation of title to 640 acres of land, situated on the banks of St. John's river. Filed.

Hardy Ellanier, by his attorney, D. B. Macomb, presented his memorial to this Board praying confirmation of title to 640 acres of land, lying on Little Black Creek, in the county of Duval. Filed.

Emanuel D. Mott, by his attorney, D. B. Macomb, presented his memorial to this Board praying confirmation of title to 640 acres of land, lying near St. John's River. Filed.

George Long, by his attorney, John Drysdale, presented his memorial to this Board praying confirmation of title to 300 acres of land, lying at the head, and on the south of a creek making from the Matanza River, known by the name of Graham's Creek. Filed.

John M. Carter, by his attorney, D. B. Macomb, presented his memorial to this Board praying confirmation of title to 100 acres of land, lying on Matanza River, two miles south of the Little Matanza Bar. Filed.

A. McDowell and Black vs. the United States for 490 acres of land. This case being called, came by its attorney, and was submitted; and the Board being fully advised of and concerning the same, it was confirmed.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

TUESDAY, AUGUST 31, 1824.

The Board met this day, pursuant to adjournment.

Present, the honourable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

Dorcas Black, by her agent, S. Streeter, presented her memorial to this Board praying confirmation of title to 640 acres of land, lying in the county of Duval, on the road called the Crawford Road, leading from St. Augustine to St. John's River. Filed.

John Oliver, by his agent, S. Streeter, presented his memorial to this Board praying confirmation of title to 640 acres of land, lying in the county of St. John's, on the east side of a Lake called Dunn's Lake. Filed.

Isaac Frost, by his attorney, B. Putnam, presented his memorial to this Board praying confirmation of title to 2000 acres of land, be-

ing part of the northern moiety, or equal half of township No. 8. of Don Pedro Miranda's grant of land, on the waters of Hillsboro' and Tampa Bays. Filed.

Sarah Bowden, by her attorney, B. Putnam, presented his memorial to this Board praying confirmation of title to 142½ acres of land, lying on Julington Creek, which empties into the St. John's River. Filed.

Isaac Frost, by his attorney, B. Putnam, presented his memorial to this Board, praying confirmation of title to 1,500 acres of land, being an undivided part of the northerly moiety, or equal half of township No. 8. in Don Pedro Miranda's grant of land on the waters of Hillsboro and Tampa Bays; filed.

Joseph F. White, by his attorney, B. Putnam, presented his memorial to this Board, praying confirmation of title to 200 acres of land, lying seven miles north of St. Augustine, known by the name of the plantation of the Negro General; filed.

Gachlan Vass, by his attorney, B. Putnam, presented his memorial to this Board, praying confirmation of title to 250 acres of land lying on St. Pablo creek; filed.

Edward R. Gibson, presented his memorial to this Board, praying confirmation of title to 125 acres of land, lying at the head of Moultrie creek; filed.

Edward R. Gibson presented his memorial to this Board, praying confirmation of title to 250 acres of land, lying at the head of Moultrie creek; filed.

Francisca Aguilar, for herself and the other heirs of Juan Rodriguez, deceased, presented her memorial to this Board, praying confirmation of title to 30,000 acres of land, lying on Hawe creek, 40 miles S. W. of St. Augustine; filed.

John Hogens, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to 100 acres of land lying on Pigeon creek, St. Mary's river, with a certificate of concession by Governor White to memorialist, dated 31st of May, 1805; also, a plat and certificate of survey of the same, by George J. F. Clarke, dated 9th of May, 1818; filed.

David Williamson, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying in Alachua; filed.

John Dixon, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying in Duval county, near St. Mary's river; filed.

William Williamson, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying in Alachua, on the waters of Hogtown; filed.

Benjamin Rollins, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying in Alachua, on the waters of San Filarki creek; filed.

William Hollingsworth, and the heirs of Peter Bagley, by their attorney, A. Bellamy, presented their memorial to this Board, pray-

ing confirmation of title to 250 acres of land, lying on the river St. John's: filed.

William Sparkman, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying on the head waters of Boggy Swamp, on and west of the public road leading from Jacksonville to Georgia: filed.

James Sparkman, by his attorney, A. Bellamy, presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying on the head waters of Boggy Swamp, on the east of the road from Jacksonville: filed.

John Bellamy presented his memorial to this Board, praying confirmation of title to 500 acres of land, lying on McGirr's creek; filed.

Abradam Bellamy, sen. presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying at the head of Thomas' swamp; filed.

John Bellamy presented his memorial to this Board, paying confirmation of title to 150 acres of land, situated on the south side of McGirr's creek, on the west side of John's river; filed.

Ann Papy presented her memorial to this Board, praying confirmation of title to 200 acres of land, situated at the north side or head of Mosquito river and Tomoka creek, with a certificate of concession by Governor White to Gaspar Papy, dated the 3d of June, 1797, and marked P; filed.

Dionisia Segui presented her memorial to this Board, praying confirmation of title to an undivided third part of 16,000 acres of land, or 5,333 1-3 acres, lying on both sides of the river St. Lucia, with a deed of conveyance from Samuel Miles to memorialist, dated the 3d of April, 1824, and marked S; filed.

Dionisia Segui presented her memorial to this Board, praying confirmation of title to 4,000 acres of land, lying on the river and island called Jupiter and St. Lucia, with a deed of conveyance from Eusebio Maria Gomez to memorialist, dated 9th of April, 1824, marked S; which are ordered to be filed.

George Clark presented his memorial to this Board, praying confirmation of title to 100 acres of land, lying on Guana creek, North river, about 12 miles north of St. Augustine, with a concession to memorialist by Governor White, dated the 25th of February, 1801, and marked C; filed.

Daniel Breckington, by his attorney, J. N. Cox, presented his memorial to this Board, praying confirmation of title to 200 acres of land, lying on Goodby's lake; filed.

Francis Sterling, by his attorney, J. N. Cox, presented his memorial to this Board, praying confirmation of title to 235 acres, lying at a place called Sims, Nassau river, with a certified copy of plat and certificate, by Pedro Marrot, dated the 3d of March, 1792, and marked A: also, two affidavits, one by Frederick Hartley, and the other by Joseph Summerall, marked B and C; filed.

David Bagley's heirs, by their attorney, Isaac N. Cox, presented their memorial to this Board, praying confirmation of title to 250

acres of land, lying on Nassau river, with a certified copy of plat and certificate by Pedro Marrot, dated March 5, 1794, and marked A, also, an affidavit by Francis Sterling, marked B; filed.

George Copeland's heirs, by their attorney, I. N. Cox, presented their memorial to this Board, praying confirmation of title to 450 acres of land, lying on Hillsboro' river, with a certified copy of concession to Henry B. Martin by Governor White, dated the 3d of September, 1803, and marked A; and conveyance from Henry B. Martin to George Copeland, dated 10th November, 1808, marked B; filed.

Samuel Fairbanks, assignee of Reuben Charles, by his attorney, David B. Macomb, presented his memorial to this Board, praying confirmation of title to 640 acres of land, lying at the Twelve Mile Swamp, north of the city of St. Augustine; filed.

John Drysdale presented his memorial to this Board, praying confirmation of title to 292 acres of land, lying on the east side of St. George's Lake; filed.

Pablo F. Fontaine presented his memorial to this Board, praying confirmation of title to 3,000 acres of land, lying on Vackasasa creek, being about S. W. from Alachua ten leagues, with a concession from Governor Kindelan to memorialist, dated 15th of May, 1815, and marked P; filed.

Antonio Canovas, Jr. presented his memorial to this Board, praying confirmation of title to 640 acres, with a plat and certificate of survey made by Ede Van Evour, and dated the 31st August, 1824; filed.

Domingo Fernandez presented his memorial to this Board, praying confirmation of title to — acres of land, lying on Amelia Island; filed.

Carnochan & Mitchell's assignees presented their memorial to this Board, praying confirmation of title to three town lots in the town of Fernandina, Amelia Island; filed.

Andrew Burgevin presented his memorial to this Board, praying confirmation of title to 500 acres of land, lying at a place called Big Spring; filed.

James Suydam, Jr. by his attorney, J. B. Lancaster, presented his memorial to this Board, praying confirmation of title to 500 acres of land, lying at Alachua; filed.

Charles Sibbald, by his attorney, J. B. Lancaster, presented his memorial to this Board, praying confirmation of title to 455 acres of land, lying at Cabbage Swamp; filed.

George Morrison's heirs by their attorney, J. B. Lancaster, presented their memorial to this Board, praying confirmation of title to — acres of land, lying on the west side of St. John's river; filed.

Elisha Huntington, by his attorney, J. B. Lancaster, presented his memorial to this Board, praying confirmation of title to 10,000 acres of land, lying at Alachua; filed.

Elisha Huntington, by his attorney, J. B. Lancaster, presented his memorial to this Board, praying confirmation of title to 2,000 acres of land, lying at Alachua; filed.

Eleazar Waterman's heirs, by their attorney, J. B. Lancaster, presented their memorial to this Board, praying confirmation of title to a lot of land in the town of Fernandina, Amelia Island; filed.

Thomas C. Doremus, by his attorney, J. B. Lancaster, presented his memorial to the Board, praying confirmation of title to five hundred acres of land, lying at Alachua; filed.

S. Clark and G. F. Brown vs. the United States for 3,000 acres of land. This case being called, came by its attorney, and the Board not being sufficiently advised therein, it was ordered to lay over for further consideration.

Permission having been obtained, the following claims were presented for adjudication, by their attorney, viz. Antonio Huertas for 10,000 acres of land; Edward M. Wanton for 150 acres, and same for 200 acres of land. The Board took the same into consideration, and being sufficiently advised therein, they were ordered to lay over for further consideration.

The Board then adjourned until to-morrow at 10 o'clock.

WEDNESDAY, SEPTEMBER 1, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

The Board having resumed the consideration of the claim of Antonio Huertas for 10,000 acres of land, recommended the same to Congress for confirmation.

The following claims, viz. Gideon Dupont's heirs for 450 acres; George Fleming's heirs for 1000 acres. These cases being called, and being prepared for adjudication, the first was confirmed in 400 acres, and the latter confirmed.

Francis P. Fatio vs. the United States for 10,000 acres of land. This case being called, came by its attorney, who obtained leave, and amended the memorial thereof, and Francis Marien being examined therein, the Board ordered the same to be laid over for further investigation.

Francis P. Fatio vs. the United States for 1000 acres of land. This case being called, came by its attorney; and the Board not being sufficiently advised of concerning the same, it was continued.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, SEPTEMBER 2, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

George Fleming's heirs vs. the United States for 980 acres of land. This case being called, and being prepared for trial, was submitted and confirmed by the Board.

Gabriel W. Perpall vs. the United States for 660 acres of land. This case being called, and being prepared for trial, was submitted and confirmed by the Board.

The following claims, viz. George Fleming's heirs for 20,000 acres; Gabriel W. Perpall for 1,340 acres; same for 280 acres; same for 500 acres, being called, and the Board not being fully advised concerning the same, they were continued.

The Board adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, SEPTEMBER 3, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

The following claims, viz. Gabriel W. Perpall for 15 acres; same for 600 acres; same for one do. being called, and, being prepared for trial, were confirmed by the Board.

On motion of Mr. Cox, attorney for claimant, the Board resumed the consideration of Francis J. Avise's claim for 115 acres of land, and, after examining Francis Terreisa therein, confirmed the same.

Permission having been obtained, Thomas Briggs and John Robinson, by their attorney, presented their claims to this Board for adjudication, which was, after due consideration, advised to Congress for confirmation.

The Board then adjourned until to-morrow, at 10 o'clock, A. M.

SATURDAY, SEPTEMBER 4, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

Gabriel W. Perpall vs. the United States for 1,340 acres of land. This case was again taken under consideration, and recommended for confirmation by the Board.

Gabriel W. Perpall for 150 acres, and same for 535 acres of land. These cases being called, and being prepared for trial, were confirmed by the Board.

The Board then adjourned until Monday next, at 10 o'clock, A. M.

MONDAY, SEPTEMBER 6, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

On motion of Edgar Macon, Esq. United States' Attorney, ordered that a commission issue to take the deposition of Don Jose Coppin-

ger, Colonel of the Royal Armies, to be read as evidence in the case of Joseph Desespine against the United States for 10,240 acres of land.

On motion of the same, it is ordered that, in all claims for more than 1000 acres of land, when required by the District Attorney for the United States, or by any member of the Board, that the Secretary issue a subpoena to the keeper of the public archives, to produce to this Board the original documents from his office on the part of the United States.

The following cases, viz. Mariana Berta for 200 acres of land, being called, and the Board not being fully advised of and concerning the same, it was continued.

Horatio S. Dexter vs. the United States for 200 acres of land. This case being called, and being prepared for trial, after examining Samuel Fairbanks therein, was confirmed by the Board.

Horatio S. Dexter vs. the United States for 200 acres of land. This case being called, came by its attorney, who, on motion, obtained permission to amend the memorial thereof; and the Board, after examining F. J. Fatio therein, confirmed the same.

Hannah Drayton et al. vs. the United States for 1000 acres of land. This case being called, on motion of Mr. Drysdale, permission was given to amend the memorial thereof, and the evidence in the same case was submitted, as was other claims of the said claimants founded on British grants.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

TUESDAY, SEPTEMBER 7, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida attended the Board this day, under their order.

The following cases, viz. Francis J. Fatio et al. for 200 acres, and the same for 500 acres of land, being called, and the claimants having produced, in evidence, the final adjustment of the estate of Francis P. Fatio, deceased, as, also, the testimony of George J. F. Clarke, in his own claim for 700 acres of land, they were confirmed by the Board.

The two following cases viz. Joseph M. Hernandez for 635 acres, and the same as attorney for his wife, late widow of Samuel Williams, deceased, and the other heirs for 3,200 acres of land, being called, and being prepared for trial, after examining Gabriel W. Perpall therein, were confirmed by the Board.

The following cases, viz. Joseph M. Hernandez for 800 acres, and same for 100 acres of land, being called, and, being prepared for trial, were, after due examination, confirmed by the Board.

The Board adjourned until to-morrow, at 10 o'clock.

WEDNESDAY, SEPTEMBER 8, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the district of East Florida, attended the Board this day, under their order.

The following claims, viz. Joseph M. Hernandez for 5000 acres; same for 5000 acres; and same for 10,000 acres of land, being called, Horatio S. Dexter was examined therein, the same were submitted, and the Board not being sufficiently advised of and concerning the same, they were ordered to lay over for further consideration.

The following claims, viz. Joseph M. Hernandez for 375 acres; same for 455 acres; same for 800 acres; and same for 70 acres of land, being called, and, being prepared for trial, were, after due investigation, confirmed by the Board.

Antonio Alvarez vs. the United States for 1500 acres of land. This case being called, and, being prepared for trial, was recommended to Congress for confirmation.

Martin Hernandez for 20 acres, and same for 10 $\frac{1}{4}$ acres and one perch, being called, were submitted and confirmed by the Board.

The following cases, viz. Martin Hernandez for 500 acres; same for 500 acres of land, being called, were submitted, and laid over for further investigation.

THURSDAY, SEPTEMBER 9th, 1824.

There not being a quorum present, the Board adjourned until to-morrow, at 10 o'clock A. M.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

FRIDAY, SEPTEMBER 10th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida attended the Board this day, under their order.

Marquis de Fougères vs. the United States, for 16,000 acres of land. This day this case came on to be heard, and David B. Macomb, George J. F. Clarke, and Horatio S. Dexter, were examined as witnesses in the same, on the part of the claimant, but the Board not being sufficiently advised, it is ordered that the same be continued.

The following cases, viz: Mary Kunen, for 200 acres; Jose B. Reyes, for 200 acres; F. J. Fatio, et al. 200 acres of land, being called, and being prepared for trial, were severally confirmed by the Board.

Horatio S. Dexter, for 16,000 acres; W. Penques' heirs, 1,000 acres; R. Penques' heirs, 500 acres; P. Lynch, 1,100 acres; Christopher Minchen, 400 acres, Nicholas Rodriguez, 300 acres, Martin Hernandez, 1000 acres, and Horatio S. Dexter, 2,500 acres of land. These cases being called, and not being prepared for trial, were continued.

The Board adjourned until to-morrow, at 10 o'clock A. M.

SATURDAY, SEPTEMBER 11th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

F. M. Arredondo, Jr. vs. the United States, for 175 acres of land. This case being called, and being prepared for trial, was confirmed by the Board.

Charles W. Bulow's executors, for 4000 acres; same, for 675 acres; and Archibald Clark, for 80,000 acres of land. These cases being called, and not being prepared for trial, were, on application of their respective attorneys, continued.

The following cases, viz: Robert Gilbert, for 100 acres; Seymour Pickett, for 350 acres; Sarah Petty, 200 acres; Robert Shepherd, 100; John Salomes, 347 acres; Henry Martin's heirs, 400 acres; Joseph S. Sanchez, 20 acres, and William T. Hall, for 2000 acres of land. These cases being called, and not being prepared for trial, it is ordered that they be placed at the foot of the docket.

On motion, Messrs. Reynolds and Cox, attorneys for claimants, the Board resumed the consideration of the following claims, viz:

Gabriel W. Perpall, for 335 acres; Mariano Berta, for 166 acres; same, for 200; Nicholas Rodriguez, 300 acres; which were confirmed.

On motion of Mr. Cornell, attorney for claimant, the Board resumed the consideration of the following claims, viz: Edward M. Wanton, 150 acres, same, 200 acres; and examined Horatio S. Dexter therein; after which they were confirmed.

The Board adjourned until Monday next, the 13th inst. at 10 o'clock, A. M.

MONDAY, SEPTEMBER 13, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

The following cases, viz: Seymour Pickett, 250 acres; John B. Gaudry, 1500 acres; Mary Acosta, 640 acres, Mary Ann Davis, 175 acres; Pedro Cocifacio, 500 acres; John Hagens, 100 acres; John Salome, 350 acres; being called, and not being prepared for trial, were continued.

Sarah Fish, 10,000 acres; same, 500 acres; Joseph Summeral, 200 acres; same, 300 acres; same, 150 acres. These cases being called, and not being prepared for trial, it is ordered that they be placed at the foot of the docket.

On motion of Mr. Cox, attorney for claimant, the Board resumed the consideration of the case of Bernardo Segui, vs. the United States, for 16,000 acres of land; whereupon, Mr. Macon, United States' Attorney, moved that the said case lay over until to-morrow,

to give him an opportunity to produce evidence on the part of the United States, which was granted.

The Board adjourned until to-morrow, at 10 o'clock.

TUESDAY, SEPTEMBER 14, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' attorney for the Eastern district of Florida, attended the Board this day, under their order.

Levin Gunby, 400 acres; William and John Lofton, 350 acres; same, 350 acres; Archibald Clark, et al. 250 acres; Jon B. Richards' heirs, 230 acres; Daniel C. Hart, 150 acres; John Underwood, 600 acres; Pedro Trope, 159 acres; Robert Miller, 635 acres; Sarah Petty, 200 acres. These cases being called, and not being prepared for trial, it was, therefore, ordered by the Board that they be placed at the foot of the docket.

The two following cases, viz: Charles Love, for 300 acres, and Nathaniel Wilds, for 300 acres of land, being called, and not being prepared for trial, were, on application of their attorneys, continued.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

WEDNESDAY, SEPTEMBER 15, 1824,

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' attorney for the Eastern District of Florida, attended the Board this day, under their order.

Arredondo and son for 289,645 acres of land at Alachua, and Peter Mitchell for a part of said grant. These cases being called and the claimants being ready to proceed therein, the same were continued in consequence of one of the Commissioners having been engaged in claims arising under the original grant to F. M. Arredondo and son, the said original grant being the foundation of the claimant's title in both of the above cases.

George Atkinson vs. The United States, for 220 acres of land. This case being called Mr. Gibbs, attorney for claimant, obtained permission and amended the memorial thereof by substituting the name Andrew in the place of George Atkinson, after which, the same being prepared for trial, was confirmed by the board.

The following cases, viz.

Francis P. Sanchez, 500 acres.

Same 250 do

Same 2,000 do

Being called, were, after due consideration, submitted and ordered to lay over.

Sophia Fleming et al. vs. The United States, 10,762 acres of land. This case being called and being prepared for trial, after examining Mr. Reynolds therein, was recommended for confirmation.

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The following cases being called, not being prepared for trial, were continued.

James Curtis 400 acres. James and George Clarke 500. Charles and George Clarke 300. Stephen Pearce et ux. 250, same 300 acres.

Joseph Rain and William Baily vs. The United States for 1,000 acres of land. This case being called and being prepared for trial, the Board confirmed the same.

On motion of claimant's attorney, the Board resumed the consideration of T. P. Fatio. vs. The United States for 10,000 acres of land, and after examining William Reynolds, recommended the same for confirmation.

The Board resumed the consideration of the following cases, viz. Gabriel W. Perpall, 500 acres of land.

Same 280 do; and recommended the same for confirmation.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, SEPTEMBER 16, 1824.

The Board met this day, pursuant to adjournment.

Present. the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' attorney for the Eastern District of Florida, attended the Board this day, under their order.

This day the Board resumed the consideration of the case of Bernardo Segui vs. The United States, for 16,000 acres of land, and William Reynolds was called to be examined on the part of the United States therein, and the counsel for the claimant objecting to the admissibility of said witness, time was given to the said counsel to state his objections at large; whereupon the case was continued.

Mary Fontane vs. The United States, for 495 acres of land. This case being called, and being prepared for trial, was confirmed by the Board.

The following claims. viz. Sarah Petty for 150 acres, and William and John Lofton. for 200 acres of land, were called, and not being prepared. it is therefore ordered that the said cases be placed at the foot of the docket.

Francis P. Sanchez vs. The United States. for 1,400 acres of land, and Gabriel Priest for 500 acres of land. These cases being called, were submitted, and the Board not being sufficiently advised concerning the same, it is ordered that they lie over.

The following cases being called, and not being prepared for trial, were continued, viz.

Francis P. Sanchez, 2,000 acres of land.

Same 100 do.

Same 600 do.

Same 25 do.

Constance M-Fee, 446 do.

Peter Mitchell 3,500 do.

In the case of Francis P. Sanchez for 50 acres of land, Mr. Drysdale, attorney for claimant, obtained leave to amend his memorial by substituting 25 for 50 acres of land.

The attorney in the case of Charles W. Bulow's executors, for 4,675 acres of land, obtained permission, and filed evidence in said case.

The Board adjourned until to-morrow at 10 o'clock.

FRIDAY, SEPTEMBER 17, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States Attorney for the Eastern District of Florida, attended the Board this day, under their order.

Thomas Travers' heirs vs. The United States, for 300 acres of land. This case being called, and being prepared for trial, was confirmed by the Board.

The following claims, viz.

William Dry, one lot of land,

Same one do.

Same 1,000 acres of land, being called, and not being prepared for trial, were confirmed.

On motion of claimant's attorney, the Board resumed the consideration of the following claims, and obtained leave to amend the memorials thereof, viz.

Gabriel W. Perrell, for 16 acres of land; same, for 8½ acres; same, for 20 acres; and examined Francis Marien, after which the Board confirmed the two first, and ordered the latter to lie over for further proof.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

SATURDAY, SEPTEMBER 18, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States Attorney for the Eastern District of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until Monday next, at 10 o'clock, A. M.

MONDAY, SEPTEMBER 20, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States Attorney for the Eastern District of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until to-morrow, at 10 o'clock, A. M.

TUESDAY, SEPTEMBER 21, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

James Riz et al. vs. The United States, for 640 acres of land. This case was taken up by the Board, and not being prepared for trial, was ordered to lie over, and claimant obtained leave to amend the memorial thereof.

The Board took into consideration the following claims, viz.

Charles W. Bulow's executors, for 4,000 acres, and same for 675 acres of land, and recommended the same for confirmation.

On motion of the claimant's attorney, the Board resumed the consideration of the claim of John B. Gaudry, for 1,500 acres of land, and, after examining Francis Ferreira thereon, recommended the same for confirmation.

The Board adjourned until Friday next, at 10 o'clock, A. M.

FRIDAY, SEPTEMBER 24, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

William Walker vs. The United States, for 175 acres of land. This case being called, and being prepared for trial, was confirmed by the Board.

A. E. Ferguson's widow and heirs, for 1,150 acres.

Geo. F. and Oliver Palmes, for 999 $\frac{3}{4}$ acres.

These cases being called, the first was recommended for confirmation, and the last ordered to be reported as being interfered with by British titles.

John B. Gaudry vs. The United States, for 3,000 acres of land. This case being called, and not being prepared for trial, was continued.

Nicholas Estifanopoly, by his attorney, obtained leave and presented his claim for 2,500 acres of land, and examined Horatio S. Dexter therein, and the Board not being sufficiently advised therein, it is therefore ordered that the same be continued.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

SATURDAY, SEPTEMBER 25, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

The following claims being called, and being prepared for trial, were confirmed by the Board.

Andrew Pleyrn's heirs, 500 acres.

Philip Embara, 100 acres.

William Pengree's heirs, 1,000 acres.

Rebecca Pengree's heirs, 500 acres.

Francis P. Fatio, 1,000 acres.

The Board took into consideration said claims, and, after examining Joseph Hagins and F. J. Fatio therein, confirmed the same.

Sarah Petty vs. The United States, for 150 acres of land. This case being called, and being prepared for trial, after examining Joseph Hagins therein, confirmed 50 acres thereof to claimant.

The Board then adjourned until Monday next, at 10 o'clock, A. M.

MONDAY, SEPTEMBER 27, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

Francis P. Sanchez vs. The United States, for 600 acres, being called, Francis Marien was examined therein, and the Board not being sufficiently advised, the same is ordered to be continued.

Sarah Petty for 200 acres of land; same for 200.

These cases being resumed by the Board, and William Reynolds being examined therein, were confirmed.

The following cases being called, were, after due consideration, submitted, viz.

Francis Marien, for 2,000 acres; and George Fleming's heirs for 20,000 acres.

The Board then adjourned until to-morrow, at 10 o'clock, A. M.

TUESDAY, SEPTEMBER 28, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd, and George Murray.

Edgar Macon, Esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

Joseph Summerall, 300 acres; same 200 acres; William and John Lofton, 350 acres; same, 350 acres; same, 200 acres; Pedro Tropé, 150 acres; Daniel C. Hart, 150 acres. These cases being called, and being prepared for trial, were severally confirmed by the Board.

Joseph Summerall vs. the United States, for 150 acres of land. This case being called, and not being prepared for trial, it is therefore ordered that the same lie over.

The Board then adjourned until to-morrow, at 10 o'clock, A. M.

WEDNESDAY, SEPTEMBER 29, 1824.

The Board met this day, pursuant to adjournment.

Present, The Hon. Davis Floyd, and George Murray.

This day the Hon. William Henry Allen exhibited to the Board a commission from the President of the United States, appointing him a commissioner to ascertain claims and titles to lands in East Florida, dated the 12th of August, 1824; and, having previously taken the oath of office, took his seat.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

This day the following claims being called, and being prepared for trial, were confirmed, viz: George F. and Oliver Palmes, 245 acres; A. E. Ferguson's widow and heirs, 507 acres; same, 43½ acres. John Bolton for 2,000 acres. This case being called, was, after due consideration, submitted.

John Gianopoly for 500 acres, and same for 10 acres of land. On motion of claimant's attorney, the Board took under consideration the said claims, and examined Pedro Beanet, and Benito Segui therein, after which they were ordered to lie over until to-morrow.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, SEPTEMBER 30th, 1824.

The Board met this day, pursuant to adjournment.

Present, All the members.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

John Gianopoly, for 500 acres; same for 10 acres; A. Montero's heirs, 25 acres; William Travers, 450 acres. These cases being called, came by their respective attorneys, and being prepared for trial, were severally confirmed by the Board.

Catalina de Jesus Hijuelos vs. the United States, for 2,000 acres of land. This case being called, came by its attorney, and the same was submitted.

Reuben Charles, 100 acres; Pedro Cocifacio, 500 acres. These cases being called, were laid over for further investigation.

Mr. Strong obtained permission, and amended the memorial in the case of Lorenzo Capas' heirs, by substituting 173 acres in lieu of 160 acres.

On motion of the United States' attorney, the case of Nicholas Rodriguez for 300 acres of land was opened, and ordered to stand over for further investigation.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

FRIDAY, OCTOBER 1, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

On motion of Mr. Strong, attorney for claimant, the Board resumed the consideration of the following claims, and confirmed the same, viz :

Reuben Charles, 1,000 acres; William Williams, 2,020 acres; same, 180 acres.

Horatio S. Dexter vs. the United States, for 2,500 acres of land. This day this case came before the Board, and after examining Geo. J. F. Clarke and Francis Marin therein, the same was submitted.

The following cases, viz : Seymour Picket, 350 acres; Robert Shepherd, 100 acres; heirs of Henry Martin, 400 acres;

Being called, came by their attorneys, and after examining Gabriel W. Perpall therein, were submitted.

The Board adjourned until to-morrow at 10 o'clock A. M.

SATURDAY, OCTOBER 2, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day under their order.

Nathaniel Wilds, for 300 acres of land; Charles Love, for 300 do.

These cases being called, and not being prepared for trial, were continued.

The Board took into consideration the claim of F. M. Arredondo and Son, for 289,645 acres of land, and Peter Mitchell, for an undivided fourth part of said grant; and the attorney in the above cases obtained leave and amended the Memorial in the case of Peter Mitchell. The depositions and evidence in the case of Moses E. Levy vs. the United States, for 36,000 acres of land, being part of said grant, was admitted by the Board, and was read, as was also the depositions of Horatio S. Dexter, and Edward M. Wanton, and Thomas Murphy; Joshua Coffee and Francis P. Sanchez, were examined therein. At 2 o'clock P. M. the Board not being sufficiently advised in the said claim, adjourned the further consideration until Monday next.

The Board adjourned until Monday next at 10 o'clock A. M.

MONDAY, OCTOBER 4th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' attorney for the Eastern District of Florida, attended the Board this day under their order.

Constance McFee vs. the United States, for 446 acres of land. This case being called, and not being prepared for trial, was continued.

Francis P. Sanchez vs. the United States, for 25 acres of land. This case being called, and being prepared for trial, was confirmed by the Board.

F. M. Arredondo and Son, and Peter Mitchell, vs. the United States, for 289,645 acres of land at Alachua.

The Board resumed the consideration of the said claim, and the same was submitted.

The Board adjourned until to-morrow at 10 o'clock A. M.

TUESDAY, OCTOBER 5th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day under their order.

No business appearing before the Board, the same was adjourned until to-morrow at 10 o'clock A. M.

WEDNESDAY, OCTOBER 6th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day under their order.

No business appearing, the Board adjourned until to-morrow at 10 o'clock A. M.

THURSDAY, OCTOBER 7, 1824.

The Board met this day, pursuant to adjournment.

Present, the Honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day under their order.

No business appearing, the Board adjourned until to-morrow at 10 o'clock.

FRIDAY, OCTOBER 8, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edward Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

No business appearing, the Board adjourned until to-morrow at 10 o'clock A. M.

SATURDAY, OCTOBER 9th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until Monday next.

MONDAY, OCTOBER 11, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and W. H. Allen.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

Sarah Petty vs. The United States for 268 $\frac{1}{2}$ acres of land.

On motion of claimant's attorney, the Board resumed the consideration of said claim, and confirmed the same.

John Bunch vs. The United States for 2,160 acres of land. This case being called, came by its Attorney, and, after examining Horatio S. Dexter and William G. Perpall therein, ordered that the same be reported to Congress.

William Travers 1,000 acres.

Same 172 do

Francis P. Sanchez 100 do

These cases being called and being prepared for trial, were confirmed.

Pedro Cocifacio vs. The United States for 2,000 acres of land. This case being prepared for trial, was recommended for confirmation.

Nicholasa Gomez' heirs vs. The United States for 1,200 acres of land. This case came by its Attorney, and the Board, after due consideration, submitted the same.

The Board adjourned until to-morrow at 10 o'clock A. M.

TUESDAY, OCTOBER 12th, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

John Gianopoly vs. The United States for 15 acres of land.

On motion of claimant's Attorney, the Board resumed the consideration of said claim, and after examining Benito Segui thereon, confirmed 10 acres thereof to claimant.

The Board resumed the consideration of the following claim, viz: Francis J. Fatio et al. for 700 acres of land on St. John's river and two small marsh Islands in front, and confirmed the same.

On application of claimant's Attorney, the order of rejection was set aside on the following claim, viz: John Jones vs. The United States for 100 acres of land, and upon further evidence, the case was submitted for final decision, and the title confirmed.

The Board adjourned until to-morrow at 10 o'clock A. M.

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WEDNESDAY, OCTOBER, 13th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

On motion of claimant's attorney, the Board resumed the consideration of the claim of Joseph Wales vs. the United States for 2,375 acres of land, and, after examining Horatio S. Dexter therein, recommended the same to Congress for confirmation—the Hon. George Murray differing.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, OCTOBER 14, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

Mr. Drysdale, attorney for the claimant, obtained leave, and filed a deed of conveyance from Samuel Cook to Francis P. Sanchez, on the claim of the latter, for 100 acres confirmed the 11th inst.

The Board, not being sufficiently advised of and concerning the case of George Fleming vs the United States, for 20,000 acres of land, on motion of the District Attorney, the case was opened for argument, and not having time to close said argument, on motion of counsel, it was deferred until to-morrow.

The Board then adjourned until to-morrow at 10 o'clock A. M.

FRIDAY, OCTOBER 15th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day under their order.

The argument in the case of George Fleming's heirs, for 20,000 acres of land, which was deferred for this day, was taken up and concluded.

The Board adjourned until to-morrow at 10 o'clock A. M.

SATURDAY, OCTOBER 16th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

On motion of the United States' Attorney, the case of Gideon Dupont's heirs, for 400 acres of land, was opened, and ordered to stand over for further investigation, until Monday next.

The Board adjourned until to-morrow at 10 o'clock A. M.

MONDAY, OCTOBER 18th, 1824.

The Board met this day, pursuant to adjournment.

Present. all the members.

Edgar Macon, esq. United States' Attorney for the District of East Florida, attended the Board this day, under their order.

Antonio Canovas, jun. vs the United States, for 640 acres.

This case was ordered to be reported to Congress under the donation act, to be measured out by the Surveyor General, according to the act of Congress, under which he claims his title.

Gideon Dupont's heirs for 400 acres of land. On motion of the United States' Attorney this case was re-examined. and the Board being sufficiently informed of the same, it was re-confirmed.

The Board adjourned until to-morrow at 10 o'clock, A. M.

TUESDAY, OCTOBER 19th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until Monday next the 25th inst. at 10 o'clock, A. M.

MONDAY, OCTOBER 25th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same adjourned until to-morrow at 10 o'clock, A. M.

TUESDAY, OCTOBER 26th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

Robert Miller, by his attorney, Burton A. Copp, presented his memorial to this Board, praying confirmation of title to 640 acres of land, situated in Duval County, on an island, called Martin's Island. Filed.

The Board adjourned until to-morrow at 10 o'clock A. M.

WEDNESDAY, OCTOBER 27th, 1824.

The Board met this day, pursuant to adjournment.

Present. all the members.

Edgar Macon, esq. United States' Attorney for the Eastern district of Florida, attended the board this day, under their order.

No business appearing before the Board, the same adjourned until to-morrow at 10 o'clock A. M.

THURSDAY, OCTOBER 28th, 1824.

The Board met this day, pursuant to adjournment.

Present, All the members.

Edgar Macon, Esq. United States' Attorney, for the Eastern District of Florida, attended the Board this day, under their order.

On motion of the United States' Attorney, and it appearing to the satisfaction of the Board, that William Reynolds had been duly subpoenaed to attend the Board of Land Commissioners for East Florida, to testify on the part of the United States, in the case of Bernardo Segui, for 16,000 acres of land, and failed to attend the said Board, it is therefore ordered, that the Secretary issue an attachment against the said William Reynolds, directed to the Marshal of East Florida, commanding the said Marshal to bring the said Reynolds before the Board this evening at four o'clock.

The Board then adjourned until four o'clock this afternoon.

THURSDAY AFTERNOON, 4 o'clock.

The Board met.

Present, the Hon. Davis Floyd and William H. Allen.

The Marshal of East Florida, made his return, that, agreeably to, and in virtue of the attachment directed to him from this Board, he had William Reynolds, the person in said attachment named, in his custody; and at the bar of the Board of Commissioners. Whereupon, the said Reynolds was asked, if he had any excuse to offer, for not obeying a writ of subpoena directed to him, and requiring him (the said Reynolds,) to appear before this Board, to testify on the part of the United States, for 16,000 acres of land, and the said Reynolds offering no satisfactory excuse, was held to have been in contempt. But the Board being divided as to the expediency of detaining the said William Reynolds any longer in custody, he was discharged.

This day, William Reynolds was examined on the part of the United States in the case of Bernardo Segui, for 16,000 acres of land. After which, the Board adjourned until to-morrow at 10 o'clock, A.M.

FRIDAY, OCTOBER 29th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

No business appearing before the Board, it adjourned until to-morrow at 10 o'clock, A. M.

SATURDAY, OCTOBER 30th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

No business appearing before the Board, it adjourned until Monday next, at 10 o'clock, A. M.

TUESDAY, NOVEMBER 2nd, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida attended the Board this day, under their order.

No business appearing before the Board, it adjourned until to-morrow, at 10 o'clock, A. M.

THURSDAY, NOVEMBER 4th, 1824.

The Board met this day.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

Mr. Putnam, attorney for claimant, moved that the order of confirmation on the following claim should be set aside, viz. John Jones vs. the United States for 100 acres of land, which tract of land was confirmed by the Board, the 12th of October, 1824. It was therefore, ordered by the Board, that the Secretary inform Mr. John B. Strong, former counsel for claimant, that the said case would stand open for a re-hearing to morrow afternoon.

Henry Hartley, by his attorney, Isaac N. Cox, presented his memorial to this Board, praying confirmation of title to 640 acres of land, with a plat and certificate of survey, by E. de Van Evour, in favor of memorialist, dated July 21, 1824; also, an affidavit of Joseph Summerall, dated 19th June, 1824. Filed.

James James, by his attorney, Waters Smith, presented his memorial to this Board praying confirmation of title to 640 acres of land on the south side of Julington Creek, when, on motion of claimant's attorney, the Board took the same into consideration, and, after examining Joseph Summerall and Lewis Gardner therein, ordered the same to be reported to Congress under the donation act.

The Board then adjourned until to-morrow, at 3 o'clock, P. M.

SATURDAY AFTERNOON NOVEMBER, 6, 1824.

The Board met this day.

Present, the honorable George Murray.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

There being no business, the Board was adjourned until Monday next, at 10 o'clock, A. M.

MONDAY, NOVEMBER 8, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

The motion of Mr. Putnam, moving the Board to set aside the order of confirming to John Jones 100 acres of land, was this day taken into consideration by the Board, and ordered to be continued for further investigation.

Juan Oliver presented his memorial to this Board praying confirmation of title to 640 acres of land, on St. John's River, near Dunn's Lake. Filed.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

WEDNESDAY, NOVEMBER 10, 1824.

The Board met this day.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until to-morrow, at 4 o'clock, P. M.

THURSDAY, NOVEMBER 11, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray.

There being no business, the Board adjourned until to-morrow, at 10 o'clock, A. M.

FRIDAY, NOVEMBER 12, 1824.

The Board met this day.

Present, the honorable George Murray.

Ordered that the cases now upon the docket, which have been submitted, and those which have been translated and read before the Board, as prepared for trial, shall be acted upon and disposed of as they stand upon the docket after Monday next, unless good cause can be shewn for delay or a continuance.

The Board adjourned until Monday next, the 15th instant, at 10 o'clock, A. M.

MONDAY, NOVEMBER 15, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

No business appearing, the Board adjourned until Friday, the 19th inst. at 10 o'clock, A. M.

FRIDAY, NOVEMBER 19, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board under their order.

No business appearing before the Board, the same was adjourned until Monday next, the 22d instant, at 10 o'clock, A. M.

MONDAY, NOVEMBER 22, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day.

On motion of Mr. Strong, attorney for claimant, he obtained leave to amend the memorial on the following claim, viz. Bartolo Maestre for 300 acres of land.

The Board resumed the consideration of the claim of Bernardo Segui vs. the United States for 16,000 acres of land, and examined Francis de Medecis as witness therein on the part of the claimant.

The Board then adjourned until to-morrow at 3 o'clock P. M.

TUESDAY, NOVEMBER 23, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the eastern district of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until to-morrow, at 10 o'clock, A. M.

WEDNESDAY, NOVEMBER 24, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

James Hagen presented his memorial to this Board, praying confirmation of title to 640 acres of land, situated on the north side of the river Miamia. Filed.

Polly Lewis presented her memorial to this Board, praying confirmation of title to 640 acres of land, situated about one mile south of the river Miami, near Cape Florida. Filed.

Jonathan Lewis presented his memorial to the Board, praying confirmation of title to 640 acres, situated about two miles south of the river Miama, near Cape Florida. Filed.

Mrs. Hagens presented her memorial to this Board, praying confirmation of title to 640 acres of land, situated on the south side of the river Miami, near Cape Florida. Filed.

The attorney for claimant on the following cases, obtained leave and amended the memorials thereof, viz:

Pedro de Cala	-	-	-	-	-	500
Same	-	-	-	-	-	200

Lazaro Ortega vs the United States for 88 acres of land.

This case being called, and not being prepared for trial, was laid over.

The Board adjourned until to-morrow, at 11 o'clock, A. M.

THURSDAY, NOVEMBER 25, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day under their order.

The Board resumed the consideration of the claim of Bernardo Segui, esq. vs the United States for 16000 acres of land; and examined George J. F. Clarke, Pedro Miranda, Eusebio M. Gomez, as witness on the part of the claimant.

The Board resumed the consideration of the following claims, and confirmed the same, viz:

Seymour Picket	-	-	-	350 acres of land.
Robert Shepherd	-	-	-	100 do
Henry Martin's heirs	-	-	-	400 do

The Board adjourned until to-morrow, at 11 o'clock, A. M.

FRIDAY, NOVEMBER 26, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day under their order.

Robert Walker vs the United States for 100 acres of land at Mosquito. This case being called, after examining Gabriel W. Perpall therein, the Board confirmed the same.

Robert Gilbert vs the United States for 100 acres of land on Matanza river. This case came by its attorney, and being prepared for trial was confirmed.

The Board adjourned until Monday next at 11 o'clock, A. M.

MONDAY, NOVEMBER 29, 1824.

The Board met this day, pursuant to adjournment.

Present, the honorable George Murray and William H. Allen.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until to-morrow at 11 o'clock, A. M.

TUESDAY, NOVEMBER 30, 1824.

The Board met this day, pursuant to adjournment.

Present, the Hon. Davis Floyd and George Murray.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

No business appearing before the Board, it was adjourned until to-morrow at 11 o'clock, A. M.

WEDNESDAY, DECEMBER 1, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

Pedro Cocifacio vs the United States for 522 acres of land on Guana creek. This case being called, came by its attorney, and being prepared for trial, was confirmed by the Board.

On motion of the attorneys, the Board resumed the consideration of the following cases, and confirmed the same, viz:

Gabiel Priest, 500 acres on Black creek, St. Johns's river; and Edward M. Wanton, 600 acres on Colesores creek, St. John's river.

The Board re-considered the case of Robert Gilbert vs the United States, for 100 acres of land on Matanza river, which was confirmed the 26th ult. and as it was found that the said tract was undefined in quantity, it was therefore ordered that the same be recommended to Congress.

Emanuel D. Mott, for 640 acres under the *donation* act. This case coming in for adjudication, and the Board rejecting, as evidence, affidavits offered in evidence by claimant, upon the motion of claimant by his attorney, it is ordered, that the case stand continued, and that he have leave to introduce witnesses, and that the same are ordered to be subpoenaed.

The Board adjourned until to-morrow at 11 o'clock, A. M.

THURSDAY, DECEMBER 2, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

On motion of claimant by his attorney, the Board took into consideration the case of Nicholas Estefanopoly vs the United States, for 2500 acres of land; and examined Francis Ferreira, Bernardo Segui,

Ss

and Jose B. Reyes, as witnesses therein, on the part of the claimant, which was submitted, as also the claim of Isaac N. Cox for 500 acres, being part of the above claim.

Joseph S. Sanchez vs the United States, for 20 acres of land on Anastatia Island. The attorney for claimant obtained leave, and presented the foregoing claim for adjudication; and the Board not being sufficiently advised concerning said claim, it was therefore ordered to be continued for further investigation.

The Board adjourned until to-morrow, at 11 o'clock, A. M.

FRIDAY, DECEMBER 3, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney, for the Eastern district of Florida, attended the Board this day, under their order.

No business appearing before the Board, the same was adjourned until to-morrow, at 11 o'clock, A. M.

SATURDAY, DECEMBER 4, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

No business appearing, the Board adjourned until Monday next, the 6th inst. at 11 o'clock, A. M.

MONDAY, DECEMBER 6, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

Mr. Drysdale obtained leave, and filed the following documents, viz:

Robert Harvey Simpson, and Ann Simpson, his wife, claim for 5000 acres of land. Original grant and certificate of no compensation having been made by the British Government.

John Holland, and Jane Holland, his wife, claim for 5000 acres of land. Original grant and certificate of no compensation by the British Government.

Elihu Hall Bay, and Margaret Bay, claim for 5000 acres of land. Original grant and certificate of no compensation by the British Government.

The heirs of Andrew Turnbull, various claims. Certificate that no compensation was ever made by the British Government for any lands executed to Andrew Turnbull, and certified copy of Dr. Andrew Turnbull's will.

James Marshall, in a claim filed, certificate of no compensation by the British Government.

The Board adjourned until to-morrow, at 11 o'clock, A. M.

TUESDAY, DECEMBER 7, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney, for the Eastern district of Florida, attended the Board, this day, under their order.

No business appearing, the Board adjourned until to-morrow, at 11 o'clock.

WEDNESDAY, DECEMBER 8, 1824.

The Board met this day pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

No business appearing, the Board adjourned until to-morrow, at 11 o'clock.

THURSDAY, DECEMBER 9, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

William Evans, by his attorney, James Hughes, presented his memorial to this Board, praying confirmation of title to 640 acres of land, under the donation act; situated on Derbin's creek, on the road leading from St. Augustine. Filed.

On motion of claimant's attorney, the Board took under consideration the claim of John Jones, for 640 acres of land under the donation act; and examined Samuel Fairbanks, as witness on the part of the United States therein, and the claim was submitted.

The Board took under consideration the claim of Emanuel D. Mott, for 640 acres of land under the donation act; and the affidavits of Samuel Fairbanks and John Jones were read as evidence therein, and the claim was submitted.

The Board adjourned until to-morrow, at 11 o'clock, A. M.

FRIDAY, DECEMBER 10, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney, for the Eastern district of Florida, attended the Board, this day, under their order.

The Board was this day occupied in making up their report to Congress, and no other business appearing, it was adjourned until to-morrow, at 11 o'clock, A. M.

SATURDAY, DECEMBER 11, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

Jose Simon Sanchez vs the United States for 20 acres of land, on Anastatia Island. This case being called up, on motion of claimant's attorney, the memorial thereof was amended, and the Board confirmed the same in favor of the heirs of Francis X. Sanchez.

Elihu Woodruff and others, for 350 acres of land on St. John's river, at a place called New Bueno Vista. In this case it was ordered, upon motion of claimant's attorney, that the case be opened, and the same be re-instated on the docket.

The Board adjourned until Monday next, at 11 o'clock, A. M.

MONDAY, DECEMBER 13, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

The Board took into consideration the case of John D. Vaughn for 950 acres of land, situated on Nassau river, and confirmed the same.

The Board adjourned until to-morrow, at 11 o'clock, A. M.

TUESDAY, DECEMBER 14, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

No business appearing, the Board adjourned until to-morrow, at 11 o'clock.

WEDNESDAY, DECEMBER 15, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States Attorney for the Eastern district of Florida, attended the Board this day, under their order.

Joseph Higginbottom, by his attorney, Waters Smith, presented his memorial to this Board, praying confirmation of title to 640 acres of land under the donation act, situated on the upper landing of Little St. Mary's river. Filed.

Henry Sevenney, by his attorney, Waters Smith, presented his memorial to this Board, praying confirmation of title to 640 acres of land under the donation act, situated on the west side of St. John's river, two and an half miles north of Jacksonville. Filed.

Mary Lewis, by her attorney, Waters Smith, presented her memorial to this Board, praying confirmation of title to 640 acres of land under the donation act, situated on the river Miama, near Cape Florida. Filed.

John D. Braddock, by his attorney, Waters Smith, presented his memorial to this Board, praying confirmation of title to 640 acres of land under the donation act, situated on the south side of Little St. Mary's river. Filed.

The Board took into consideration the claim of James Riz and others for 640 acres of land, situated at Picolata, on St. John's river; and produced as evidence therein, the depositions of George Coles and Horatio S. Dexter; and the Board being fully advised of and concerning the case, it was ordered to be reported to Congress under the donation act.

Margaret Acosta vs. the United States for 640 acres of land, situated north and without the gates of the city of St. Augustine.

The claimant produced as evidence in said case, the depositions of John Gianopoly and Peter Masters, and the Board not being sufficiently advised therein, ordered the same to be continued.

William Bardin vs. the United States for six lots of land, situated at a place called St. Anthony, St. John's river. On motion of claimant's attorney, the Board took into consideration the said claim, and, after examining Joseph Hagen therein, confirmed the same to the widow and other heirs of Uriah Bowden.

The Board adjourned until to-morrow at 10 o'clock, A. M.

THURSDAY, DECEMBER 16, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

The Board was this day occupied in making out their report to Congress.

No business appearing the Board adjourned until to-morrow, at 10 o'clock, A. M.

FRIDAY, DECEMBER 17, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney, for the Eastern district of Florida, attended the Board this day, under their order.

The Board was this day occupied in making out their report to Congress.

No business appearing, the Board adjourned until to-morrow, at 10 o'clock, A. M.

SATURDAY, DECEMBER 18, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney, for the Eastern district of Florida, attended the Board this day, under their order.

The Board resumed the consideration of the case of Antelm Gay vs. the United States for a lot of land in Fernandina, Amelia Island, and confirmed the same.

The case of Joseph M. Hernandez for 635 acres of land, was re-considered and re-confirmed by the Board.

The Board adjourned until Monday next, the 20th instant, at 10 o'clock, A. M.

MONDAY, DECEMBER 20, 1824.

The Board met this day, pursuant to adjournment.

Present. all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

The following cases were this day re-considered and re-confirmed by the Board, viz:

James and Emanuel Ormond	-	-	2000 acres
Francis Avice	-	-	115 do.
Joseph M. Hernandez	-	-	455 do.

The Board re-considered the following cases and recommended the same for confirmation viz:

Michael Crosby's heirs	-	-	2000 acres
Same	-	-	500 do.

The Board resumed the consideration of these cases, and confirmed the same.

Francis P. Sanchez	-	-	250 do.
Shadrack Standley	-	-	300 do.

Joseph Summerall vs the United States, for 150 acres of land. There not appearing sufficient evidence in the opinion of the Board to confirm said claim, the same was rejected.

Daniel C. Hart vs the United States, for 150 acres of land. The Board re-considered said case, and ordered that the same lie over for further investigation.

The Board adjourned until to-morrow, at 10 o'clock, A. M.

TUESDAY, DECEMBER 21, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, Esq. United States' Attorney for the Eastern district of Florida, attended the Board this day, under their order.

Mary Ann Davis vs the United States, for 175 acres of land, situated on an Island called *Key Biscayne*, one of the Florida Keys.

On motion of claimant's attorney, this case was called, and confirmed by the Board.

The Board resumed the consideration of the case of Nicolasa Gomez' heirs vs the United States, for 1200 acres situated at Hillsboro river, and confirmed the same.

The Board adjourned until to-morrow at 10 o'clock, A. M.

WEDNESDAY, DECEMBER 22, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

The Board was this day occupied in making out their report to Congress.

The Board adjourned, until to-morrow, at 10 o'clock, A. M.

THURSDAY, DECEMBER 23d, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

The Board adjourned until to-morrow at 10 o'clock, A. M.

FRIDAY, DECEMBER 24th, 1824.

The Board met this day, pursuant to adjournment.

Present, all the members.

Edgar Macon, esq. United States' Attorney for the Eastern District of Florida, attended the Board this day, under their order.

On motion of claimant's attorney, the Board took into consideration, the case of Bartolome de Castro y Ferrer vs. the United States, for 2,266 $\frac{1}{2}$ acres of land, situated at San Pablo, about forty miles north of St. Augustine, and Francis J. Fatio being examined therein, the Board confirmed the same.

The Board resumed the consideration of the claim of Fernando de la Maza Arredondo and son, for four leagues of land to each wind, and Peter Mitchel's claim for $\frac{1}{4}$ of the said four leagues, situated at Alachua, and ordered that the same be reported to Congress for confirmation.

The Board adjourned.

TUESDAY, DECEMBER 28, 1824.

The Board met this day.

Present, all the members.

Edgar Macon, Esq. United States' Attorney, attended the Board this day, under their order.

Samuel Clark, and George S. Brew vs. the United States for 3000 acres of land, situated on St. Mary's River. The Board resumed the consideration of said claim, and confirmed the same.

On motion of claimant's attorney the Board took under consideration the following claims, and recommended the same for confirmation, viz:

Joseph F. White	-	-	-	$\frac{2}{3}$	of 2000 acres
Same	-	-	-	$\frac{2}{3}$	of 1800 do.
Henry Eckford	-	-	-		1000 do.

On motion of claimant's attorney, the Board took up the claim of Bartolome de Castro y Ferrer, for 2000 acres of land, and confirmed the same.

The following claims, as being part of F. M. Arredondo and Son's grant of four leagues of land to each wind, situated in Alachua, were this day recommended by the Board for confirmation, viz:

Alexander M. Muir, et al. in trust for the Florida association for	-	-	-	-	30,720 acres
N. Brush	-	-	-	-	10,000 do.
Elisha Huntington	-	-	-	-	10,000 do.
Same	-	-	-	-	2000 do.

On motion of claimant's attorney, the Board resumed the consideration of the case of Mary Acosta vs. the United States for 640 acres of land, situated within the 1500 varas North of the city of St. Augustine, and confirmed to said claimant $341\frac{1}{2}$ English yards in front on the East side of the road, and in depth running to the North River.

We certify, that the foregoing sheets contain a correct transcript from the minutes of the Board of Land Commissioners, since the last report to Congress.

DAVIS FLOYD,
GEORGE MURRAY,
W. H. ALLEN.

Test,

F. J. FATIO, *Sec. B. L. U.*

ST. AUGUSTINE,

January 1, 1825.

THE COMPANIES OF THE CITY OF LONDON

THE COMPANIES OF THE CITY OF LONDON
THE COMPANIES OF THE CITY OF LONDON
THE COMPANIES OF THE CITY OF LONDON

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NAME		ADDRESS		CITY		STATE		COUNTRY	
1	John Doe	123 Main St	Anytown	CA	USA	1	1	1	1
2	Jane Smith	456 Elm St	Anytown	CA	USA	2	2	2	2
3	Robert Johnson	789 Oak St	Anytown	CA	USA	3	3	3	3
4	Mary White	101 Pine St	Anytown	CA	USA	4	4	4	4
5	James Brown	202 Cedar St	Anytown	CA	USA	5	5	5	5
6	Elizabeth Black	303 Birch St	Anytown	CA	USA	6	6	6	6
7	William Green	404 Spruce St	Anytown	CA	USA	7	7	7	7
8	Patricia Gray	505 Willow St	Anytown	CA	USA	8	8	8	8
9	Richard Hall	606 Ash St	Anytown	CA	USA	9	9	9	9
10	Susan King	707 Hickory St	Anytown	CA	USA	10	10	10	10
11	Thomas Lee	808 Sycamore St	Anytown	CA	USA	11	11	11	11
12	Linda Miller	909 Magnolia St	Anytown	CA	USA	12	12	12	12
13	Christopher Moore	1010 Dogwood St	Anytown	CA	USA	13	13	13	13
14	Nancy Nelson	1111 Redwood St	Anytown	CA	USA	14	14	14	14
15	David Parker	1212 Cypress St	Anytown	CA	USA	15	15	15	15
16	Karen Phillips	1313 Juniper St	Anytown	CA	USA	16	16	16	16
17	Steven Reed	1414 Fir St	Anytown	CA	USA	17	17	17	17
18	Michelle Scott	1515 Palm St	Anytown	CA	USA	18	18	18	18
19	Anthony Taylor	1616 Peach St	Anytown	CA	USA	19	19	19	19
20	Kimberly Turner	1717 Apple St	Anytown	CA	USA	20	20	20	20

Continued on reverse side

REPORT No. 1—Continued.

No.	NAME OF		DATE OF THE PATENT OR ROYAL TITLE.		DATE OF CONCESSION, OR ORDER OF SURVEY.		QUANTITY OF LAND		BY WHOM CONCEDED.	AUTHORITY OR ROYAL ORDER UNDER WHICH THE CONCESSION WAS GRANTED.	CONDITIONS.	DATE OF SURVEY.	BY WHOM SURVEYED.	WHERE SITUATED.	OCCUPATION OR CULTI- VATION.		GENERAL REMARKS.
	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.					Acres.	100dths.							From.	To.	
97	Bart. de Castro y Ferrer	Bart. de Castro y Ferrer	10th April,	1817	-	-	35	-	Coppinger	1790	none	-	-	St. Palho	-	-	
98	Francisco P. Sanchez	Bart. F. Lucas	-	-	-	-	25	-	White	1790	complied with	-	-	Moultrie	-	-	
99	Sarah Petty	Geo. Long	-	-	10th March	1807	266	33½	White	-	-	9th April,	1793	Jonah Dupont	-	-	
100	Heirs of Thomas Travers	Thomas Travers	27th Sept.	1808	-	-	1000	-	White	1790	none	-	-	St. Thomas	-	-	
101	Same	Same	27th Sept.	1808	-	-	172	-	do	1790	none	-	-	St. Patrick	-	-	
102	John Gianoply	Domingo Segui	-	-	18th Jan.	1805	10	-	do	1790	complied with	6th Oct.	1823	G. Darling	-	-	
103	Seymour Pickett	Seymour Pickett	-	-	31 Sept.	1803	350	-	do	1790	do	20th May,	1824	John Purcell	-	-	
104	Heirs of Henry Martin	Henry B. Martin	-	-	31 Sept.	1803	408	-	do	1790	do	-	-	do	-	-	
105	Robert Shepherd	Robert Shepherd	-	-	30th Dec.	1803	100	-	do	1790	do	-	-	do	-	-	
106	Robert Walker	Robert Walker	-	-	14th July,	1803	100	-	do	1 90	do	-	-	do	-	-	
107	Pedro Cocifacio	Pedro Cocifacio	12th Oct.	1813	-	-	523	-	Estrada	1790	none	-	-	St. John's River	-	-	
108	Gabriel Priest	John M. Fontane	-	-	5th Jan.	1815	500	-	do	1815	none	-	-	Black Creek	-	-	
109	Edward M. Wanton	Edward M. Wanton	-	-	23th Nov.	1817	300	-	Coppinger	1815	none	17th Nov.	1819	Geo. J. F. Clarke	-	-	
110	Same	Same	-	-	23th Nov.	1817	300	-	do	1815	none	17th Nov.	1819	do do	-	-	
111	Bernardo Segui	Estevan Arnow	-	-	17th Nov.	1815	500	-	Estrada	1815	none	7th Oct.	1818	Robert M. Hardy	-	-	
112	John Bunch	John Bunch	-	-	11th Aug.	1804	2160	-	White	1790	none	5th June,	1825	Andres Burgevin	-	-	
113	Heirs of F. X. Sanchez	Franc. X. Sanchez	-	-	8th July,	1802	20	-	do	1790	none	-	-	do	-	-	
114	John B. Entralgo	John B. Entralgo	15th Nov.	1817	-	-	1000	-	Coppinger	1815	none	9th Sept.	1819	Andres Burgevin	-	-	
115	John D. Vaughan	John D. Vaughan	-	-	-	-	900	-	-	-	-	23d Dec.	1816	Geo. J. P. Clarke	-	-	
116	Widow & heirs of U. Bowden	Uriah Bowden	17th April,	1815	-	-	200	-	Kindelan	1790	none	23d Dec.	1791	Saml. Eastlake	-	-	
117	Heirs of Thomas Travers	T. Travers ass. of T. Sterling	-	-	11th Oct.	1803	750	33½	White	1790	complied with	9th Jan.	1792	do do	-	-	
118	Shadrick Standley	Shadrick Standley	-	-	20 Oct. 1817,	verbal	300	-	Coppinger	1815	none	10th Dec.	1817	Geo. J. F. Clarke	-	-	
119	Francis P. Sanchez	David S. H. Miller	-	-	18th March,	1817	250	-	do	1790	none	3d May,	1817	Same	-	-	
120	Francis J. Aviee	Aysick, a man of color	-	-	10th Nov.	1803	115	-	White	1790	none	14th June,	1821	Andres Burgevin	-	-	
121	Jos. M. Hernandez	Jos. M. Hernandez	23d April,	1817	-	-	455	-	Coppinger	1815	none	4th Sept.	1818	Robt. McHardy	-	-	
122	James & Emanuel Ormond	Widow & heirs of J. Ormond	18th April,	1816	10th Feb.	1816	2000	-	Same	1790	none	19th Feb.	1816	Same	-	-	
123	Mary Ann Davis	Pedro Fornells	-	-	18th Jan.	1805	175	-	White	1790	complied with	-	-	Key Biscayne	-	-	
124	John D. Vaughan	John D. Vaughan	-	-	4th March,	1797	250	-	Same	1790	none	14th Dec.	1807	John Purcell	-	-	
125	Gabriel W. Perrell	Jos. B. Reyes	-	-	6th Feb.	1805	16	-	Same	1790	complied with	15th Feb.	1819	Andres Burgevin	-	-	
126	R. de Castro y Ferrer	John McQueen	27th Feb.	1804	-	-	2256	66½	Same	1790	none	3d Feb.	1792	Saml. Eastlake	-	-	

The Board are unanimously of the opinion that the cases herewith reported were valid Spanish grants made previously to the 24th of January 1818, and therefore confirmed them to the claimants.

St. Augustine, December 29, 1824.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.



REPORT---No. 2.

Register of Claims to land not exceeding 3500 acres, which have not been confirmed by the Commissioners for East Florida, but which are recommended by them for confirmation by Congress.

NUMBER.	NAMES OF		DATE OF THE PATENT OR ROYAL ORDER.	DATE OF THE CONCESSION OR ORDER OF SURVEY.	QUANTITY OF LAND.		BY WHOM CONCEDED.	AUTHORITY OR ROYAL ORDER UNDER WHICH THE CONCESSION WAS GRANTED.	CONDITIONS.	DATE OF SURVEY.	BY WHOM SURVEYED.	WHERE SITUATED.	OCCUPATION OR CULTIVATION		GENERAL REMARKS.
	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.			Acres.	1000ths							From.	To.	
1	George Atkinson	George Atkinson	March 8, 1816	-	1060	-	Coppinger	1815	none	Oct. 30, 1816	Geo. J. F. Clarke	Spells Swamp	-	-	
2	Francis P. Sanchez	Thomas Aguilor	Dec. 7, 1817	-	2900	-	do	1815	do	Sept. 9, 1819	A. Burgevin	Okeleewaba	-	-	
3	Same	F. M. Arredondo, Sec.	Dec. 13, 1817	-	2700	-	do	1815	do	April 2, 1818	Geo. T. F. Clarke	Duma's Lake	-	-	
4	Philip R. Yonge	Philip R. Yonge	Jan. 26, 1816	23d Feb. 1815	2000	-	do	1790	do	Nov. 4, 1815	Geo. T. F. Clarke	12 Mile Swamp	-	-	
5	Jno. Forbes & Co.	Catalina Chicken	May 4, 1804	-	1809	-	White	1790	do	-	-	Pablo Creek	-	-	
6	John Forbes	John Forbes	July 23, 1814	-	3000	-	Kintelin	1790	do	Oct. 20, 1816	Geo. T. F. Clarke	Cabbage Swamp	-	-	
7	Thos. Briggs and John Robinson	Francis Kerr	Feb. 5, 1815	-	1800	-	Coppinger	1790	do	-	-	Halifax River	-	-	
8	Jno. B. Entralgo	John B. Entralgo	Nov. 15, 1817	-	2000	-	do	1815	do	April 10, 1818	Geo. T. F. Clarke	West St. John's River	-	-	
9	Same	Pedro Miranda	Sept. 16, 1817	-	3400	-	do	1815	do	April 5, 1821	A. Burgevin	5 miles So. Lake George	-	-	
10	Agueda Segui Ex.	Heirs of Ber. Segui	July 20, 1816	-	1200	-	do	1790	do	Jan. 8, 1819	A. Burgevin	near Pablo	-	-	
11	Heirs of A. Ferguson	Heirs of A. Ferguson	Oct. 5, 1811	-	1150	33 1/2	Estrada	1790	do	-	-	Doctor's Creek	-	-	
12	Pedro Cocifacio	Pedro Cocifacio	Oct. 12, 1815	-	2000	-	do	1790	do	-	-	20 miles N. St. Augustine	-	-	
13	Same	Same	Oct. 12, 1815	-	2000	-	do	1790	do	-	-	Rio Hondo	-	-	
14	G. W. Perpell	Gab. W. Perpell	Feb. 22, 1817	-	1340	-	Coppinger	1815	do	April 15, 1818	-	Opposite Rails Town	-	-	
15	G. F. & Oliver Palmes	Robert McHardy	July 3, 1815	-	999	-	Estrada	1790	do	-	-	Tomball's Swamp	-	-	
16	Robert Gilbert	Robert Gilbert	-	March 1, 1798	100	66 2-3	White	1790	do	-	-	Matanzas	-	-	
17	Joseph Wales	Joseph Wales	-	Oct. 8, 1817	2375	-	Coppinger	1790	do	July 25, 1818	-	M'Dougal's Swamp	-	-	

The Board are unanimously of the opinion that the cases herewith reported were valid Spanish grants made previous to the 24th January, 1818, and therefore recommend the same to Congress for confirmation in favor of Claimants.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.

18	Henry Eckford	Sam. Betts	8th July, 1803	1000	-	White	1790	Complied with	-	-	-	Mosquitoe River	-	-	
19	Jos. F. White	Same	3d July, 1815	2-3 of 1800	-	Estrada	1790	none	-	-	-	Riv. Matanzas	-	-	
20	Same	Same	3d July, 1815	2-3 of 2000	-	Same	1790	none	-	-	-	New Smyrna	-	-	

These cases were omitted at the time of writing the above certificate, though it applies equally to them.

DAVIS FLOYD,
W. H. ALLEN.

REPORT No. 4.

Register of Claims to Land founded on Patents or Royal Titles derived from the Spanish Government, dated subsequent to the 24th of January, 1818, but which are founded on concession or order of survey, dated previous to the 24th of January, 1818, and are therefore confirmed.

No.	NAMES OF.		DATE OF THE PATENT OR ROYAL TITLE.	DATE OF THE CONCESSION OR ORDER OF SURVEY.	QUANTITY OF LAND.		BY WHOM CONCEDED.	AUTHORITY OR ROYAL ORDER UNDER WHICH THE CONCESSION WAS GRANTED.	CONDITIONS.	DATE OF SURVEY.	BY WHOM SURVEY'D.	WHERE SITUATED.	OCCUPATION OR CULTIVATION.		GENERAL REMARKS.
	PRESENT CLAIMANTS.	ORIGINAL CLAIMANTS.			Acres.	100llths.							From.	To.	
1	Jose B. Reyes - - -	B. de Castro y Ferrer - -	6th July, 1818	17th Dec. 1799	200	-	White - -	1790	Complied with	- - -	-	Moultrie Creek - -	-	-	
2	Francis P. Fatio - -	F. P. Fatio - - -	12th April, 1818	13th April, 1803	1000	-	Same - -	1790	None - -	1st March, 1818	Andrew Burgevin -	Beresford, St. John's -	-	-	
3	John Houston - - -	John Houston - - -	27th February, 1818	- - -	150	-	- - -	1790	None - -	- - -	-	- - -	-	-	
4	Isaac W. Hendricks -	William Hendricks - -	8th May, 1818	18th May, 1797	216	-	White - -	1790	None - -	17th May, 1818	Geo. J. F. Clarke -	Cowford - - -	-	-	
5	Heirs of Nicholas Gomez	Nicholas Gomez - -	5th November, 1818	27th July, 1803	1200	-	Same - -	1700	None - -	29th May, 1815	Robert McHardy -	Ross Mosquitoe - -	-	-	
6	G. W. Perrell - - -	Diego Carraras - - -	19th June, 1819	6th Feb'y, 1805	16	-	Same - -	1790	Complied with	- - -	-	1 N. St. Augustine - -	-	-	
7	John Houston - - -	John Houston - - -	27th February, 1818	16th Feb'y, 1816	129	-	Cappingier - -	1790	None - -	2d May, 1816	Geo. J. F. Clarke -	Nassau River - - -	-	-	
8	Same - - -	Same - - -	27th February, 1818	16th Feb'y, 1816	160	-	Same - -	1790	None - -	2d May, 1816	Same - - -	Same - - -	-	-	
9	Joseph M. Hernandez -	Joseph M. Hernandez -	6th November, 1818	28th May, 1816	635	-	Same - -	1815	None - -	4th Sept. 1818	Andrew Burgevin -	Bugeck's Hammock - -	-	-	
10	B. de Castro y Ferrer -	Bartolome de Castro y Ferrer	28th February, 1819	24th Jan'y, 1813	2000	-	Same - -	1790	Complied with	16th June, 1818	Same - - -	Pablo Creek - - -	-	-	

The above cases are founded on concessions made previously to the 24th of January 1818, and although the Royal Titles are subsequent to that date as the conditions have been complied with, the Board have, therefore, confirmed the same to the claimants.

ST. AUGUSTINE, December 29th, 1824.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.

Register of Claims to Land Granted in 1862

No.	NAME OF CLAIMANT	DATE OF CLAIM
1	John H. Brown	1862
2	James H. Brown	1862
3	John H. Brown	1862
4	John H. Brown	1862
5	John H. Brown	1862
6	John H. Brown	1862
7	John H. Brown	1862
8	John H. Brown	1862
9	John H. Brown	1862
10	John H. Brown	1862

The above names are listed on the original map.

REPORT, No. 5.

Register of Claims exceeding 3,500 acres, founded on Patents granted by the British Government, and which have been recognized as valid by the Spanish Government, and are recommended for confirmation.

No.	NAMES OF		DATE OF PATENT, OR ROYAL TITLE.	DATE OF CONCESSION, OR ORDER OF SURVEY.	QUANTITY OF LAND.		BY WHOM CONCEDED.	AUTHORITY OR ROYAL ORDER UNDER WHICH THE CONCESSION WAS GRANTED.	CONDITIONS.	DATE OF SURVEY.	BY WHOM SURVEYED.	WHERE SITUATED.	OCCUPATION OR CULTIVATION.		GENERAL REMARKS.
	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.			ACRES.	1000ths.							From	To	
1	Sophia Fleming, & Wm. Gibson	Robert Paris Taylor . .	18th April, 1771	- . .	10,762	- .	Governor Grant	- . .	none	29th March, 1793	James Dupont	Nassau River .	-	-	The right to this land was recognized by the Spanish Gov't. and ordered to be surveyed in 1793. This grant was recognised by the Spanish Gov't. in the year 1791, and surveyed to grantee.
2	Francis P. Fatio	Francis P. Fatio, deceased .	- . .	- . .	10,000	- .	- . .	- . .	none	25th Nov. 1791	Samuel Eastlake	New Switzerland .	-	-	

It is in proof before the Board that the above Claims have been recognized by the Spanish Government, they are, therefore, recommended for confirmation.

DAVIS FLOYD,
GEORGE MURRAY,
W. H. ALLEN.

Register of Claims

Name of Claimant		Amount	
John Doe		100.00	
Jane Smith		200.00	
Robert Johnson		300.00	
Mary White		400.00	
James Brown		500.00	

Reg

NUMBER.

1	He
2	Sal
3	Sal
4	He
5	Jos
6	Wt
7	Du

REPORT No. 6.

Register of Claims not exceeding 3,500 acres, founded on Patents granted by the British Government, and which have been recognized as valid by the Spanish Government, and are confirmed by the Board of Land Commissioners for East Florida.

NUMBER.	NAMES OF		DATE OF PATENT, OR ROYAL TITLE.	DATE OF CONCESSION OR ORDER OF SURVEY	QUANTITY OF LAND		BY WHOM CONCEDED.	Authority, or royal order, under which the concession was granted.	CONDITIONS.	DATE OF SURVEY.	BY WHOM SURVEYED.	WHERE SITUATED.	OCCUPATION OR CULTIVATION.		GENERAL REMARKS.
	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.			Acres.	100-lths.							From	To	
1	Heirs of F. P. Fatio	Francis P. Fatio	28th March, 1775	- - -	500	-	Tonyn	Laws of England	none	16th February, 1775	Fred. G. Mulcaster	E. side Maxwell's creek			The papers are so mutilated by time as to be difficult to read. They prove possession.
2	Same	Judith Shivers	16th June, 1782	- - -	200	-	Same	same	none	20th May, 1782	Benj. Lord	St. Sebastian creek			
3	Same	David Courvoisie	10th January, 1772	- - -	700	-	Moultrie	same	none	9th January, 1772	F. G. Mulcaster	New Castle, St. Johns	1798	1790	
4	Heirs of Thomas Travers	James Perman	4th January, 1768	- - -	300	-	Grant	same	none	2d September, 1767	R. S. De Brahm	5 miles W. St. Augustine			
5	Jos. Rain and Wm. Bailey	Frederick Rolf	19th Dec. 1792	- - -	1,000	-	do	same	none	15 Feb. 1773, 6 April, 1793	Jno. Funk, Josiah Dupont	Trout creek			
6	Wm. and John Lofton & heirs	Cornelius Rain	1768	- - -	200	-	do	same	none	-	-	N. W. branch Nassau			
7	Duncan L. Clinch	Wm. Penn	18th July, 1769	- - -	500	-	Grant	same	none	20th April, 1769	R. S. De Brahm	12 mile Swamp			

It is in proof, before the Board, that the above claims, founded upon British Grants, have been recognized by the Spanish Government, and they are, therefore, confirmed to the claimants.

St. AUGUSTINE, December 29, 1824.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.



REPORT No. 8.

Register of claims derived from the Spanish Government by written evidence, undefined in quantity, and are ascertained to be valid, and which are recommended to Congress for confirmation.

No.	NAME OF		DATE OF THE PATENT OR ROYAL TITLE.	DATE OF THE CONCESSION ON ORDER OF SURVEY.	QUANTITY OF LAND.		BY WHOM CONCEDED	AUTHORITY OF ROYAL ORDER UNDER WHICH THE CONCESSION WAS GRANTED.	CONDITIONS	BY WHOM SURVEY'D.	DATE OF SURVEY		WHERE SITUATED.	OCCUPATION OR CULTIVATION.		GENERAL REMARKS.
	PRESENT CLAIMANTS.	ORIGINAL CLAIMANTS.			Acres.	100dths								From.	To.	
1	John H. McIntosh -	Jno. H. McIntosh -		18th May, 1803	undefined	-	White - -	1790	complied with	Geo. J. F. Clarke	2d Dec. - 1817		Marrats Island - -			
2	Francis P. Sanchez -	Roque Leonardy -		24th Nov. 1792	do	-	Quesada - -	1790	none	Andres Burgevin	28th April, 1819		North River - -			
3	Gabriel W. Perpal -	Joseph Hughes -		24th Jan. 1818	do	-	Coppinger - -	1790	none	- - -	- - -		Small Island Matanza			
4	Same -	Thomas Travers -	22d Nov. 1792	-	do	-	Quesada - -	1790	none	- - -	- - -		St. Sebastian River -			

The Board have examined the above cases and ascertained them to be valid Spanish grants made previous to the 24th January, 1818, but as they are undefined in quantity, unanimously recommend them to Congress for confirmation.

ST. AUGUSTINE, December 29th, 1824.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.

Register of claims derived from the

No.	NAME OF	
	CLAIMANT	DEED OR OTHER INSTRUMENT
1	John H. McIntosh	John H. McIntosh
2	Thomas H. McIntosh	Thomas H. McIntosh
3	George W. Tappan	George W. Tappan
4	Gene	Gene

The Board have examined the above cases

At August 1st 1892

1893
 The following is a list of the names of the persons who have been
 admitted to the office of the Secretary of the Board of Education

Name	Residence	Office
J. A. Smith	123 Main St.	Secretary
W. B. Jones	456 Oak St.	Treasurer
C. D. Brown	789 Elm St.	Clerk

The following is a list of the names of the persons who have been
 admitted to the office of the Secretary of the Board of Education

REPORT No. 9.

Register of Claims to town lots, and out lots, founded on actual cultivation and improvement previous to the 22d of Feb. 1819, for which Certificates of confirmation have been granted by the undersigned Commissioners.

No.	NAMES OF		DATE OF PATENT, OR ROYAL TITLE.	DATE OF CONCESSION, OR ORDER OF SURVEY.	QUANTITY OF LAND.			BY WHOM CONCEDED.	AUTHORITY OR ROYAL ORDER UNDER WHICH THE CONCESSION WAS GRANTED.	CONDITIONS.	DATE OF SURVEY.	BY WHOM SURVEY'D	WHERE SITUATED.	OCCUPATION OR CULTIVATION.		GENERAL REMARKS.
	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.			NO. OF LOT.	ACRES.	100dths							From.	To.	
1	Aotelm Gay	John Moore	5th Aug. 1819	14th Nov. 1814	1	1.8		Coppinger	1790	gone	1814	Geo. J. F. Clarke	Fernandina	1814	1824	

The above case has been duly examined by the Board, and ascertained to be a valid concession without condition previous to the 24th January 1818, but the royal title after that date; the Board therefore confirmed to the claimant.

St. AUGUSTINE, Dec. 29, 1824.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.

REPORT No. 10.

Register of Claims to land not exceeding 640 acres, founded on actual inhabitation and cultivation, previous to the 22d of Feb. 1819, for which Certificates of confirmation have been granted by the undersigned Commissioners.

SERIAL.	NAMES OF		DATE OF PATENT, OR ROYAL TITLE.	DATE OF CONCESSION OR ORDER OF SURVEY	QUANTITY OF LAND.		BY WHOM CONCEDED.	Authority, or royal order, under which the concession was granted.	CONDITIONS.	DATE OF SURVEY.	BY WHOM SURVEYED.	WHERE SITUATED.	OCCUPATION OR CULTIVATION.		GENERAL REMARKS.
	PRESENT CLAIMANT.	ORIGINAL CLAIMANT.			Acres.	100ths.							From	To	
1	Antonio Canovas, Jun.	Antonio Canovas, Jun.	-	-	640	-	-	Oct. 1824	-	31st Aug. 1824	Ede Van Evour	4 miles S. St. Augustine	1818	1824	Reported to Congress with the evidence.
2	James James	James James	-	-	640	-	-	Same	-	Same	-	S. side Julington Creek	1819	1824	
3	James Riz and others	William Riz	-	-	640	-	-	Same	-	Same	-	Picolata St. John's	1821	1824	

It is in proof, that the claimants in this report occupied, and cultivated the land previous to the 27th of Feb. 1819, and that they continued to occupy and cultivate them up to the time of the cession, and they are therefore confirmed to the claimants.

ST. AUGUSTINE, December 29, 1824.

DAVIS FLOYD,
GEO. MURRAY,
W. H. ALLEN.

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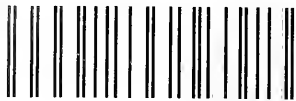
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